

ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-96

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 26, 2009

To order, on an emergency basis, the closing of a public alley in Square 5872, bound by Lots 49-57, 134-135, and 958, and the elimination of building restriction lines along Sayles Place, S.E., in Square 5869, in Ward 8.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of an Alley in Square 5872, S.O. 07-2225, and Building Restriction Lines Elimination in Square 5869, S.O. 09-8150, Emergency Act of 2009".

Sec. 2. Pursuant to section 201 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-202.01), the Council finds that the alley in Square 5872, as shown on the Surveyor's plat filed under S.O. 07-2225, is unnecessary for alley purposes and orders it closed, with title to the land to vest as shown on the Surveyor's plat. The approval of the Council of this closing is contingent upon the satisfaction of any and all other conditions set forth in the official file of S.O. 07-2225.

Sec. 3. The Council finds that the 10-foot building restriction lines along Sayles Place, S.E., between Howard Road, S.E., and Bowen Road, S.E., in Square 5869, as shown on the Surveyor's plat filed under S.O. 09-8150, are unnecessary and orders them eliminated. The approval of the Council of the elimination of these building restriction lines is contingent upon the satisfaction of any and all other conditions set forth in the official file of S.O. 09-8150.

Sec. 4. Transmittal.

The Secretary to the Council shall transmit a copy of this act, upon its effective date, to the Office of the Surveyor and the Office of the Recorder of Deeds.

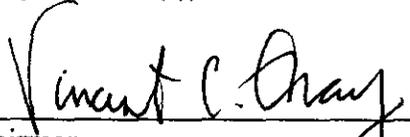
Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the Closing of an Alley in Square 5872, S.O. 07-2225, Act of 2009, passed on 2nd reading on May 5, 2009 (Enrolled version of Bill 18-88), 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)).

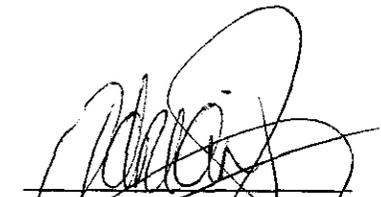
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Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
May 26, 2009

ENROLLED ORIGINAL

AN ACT
D.C. ACT 18-97

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 27, 2009*Codification
District of
Columbia
Official Code*

2001 Edition

2009 Summer
Supp.West Group
Publisher

To require, on an emergency basis, the Mayor to submit to the Council a comprehensive analysis of proposed child day care services to be offered by the city via third party vendors prior to issuing a request for offers by the District, and that all current day care services remain open until September 30, 2009.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Day Care Facility Emergency Act of 2009".

Sec. 2. (a) The Mayor shall withdraw any request for offers, and not issue any future request for offers, for the use of any District-owned or District-operated property for any child development program or child care program until the Mayor submits to the Council for a 30-day period of review, prior to any action, the following:

- (1) A comprehensive analysis of any proposed child day care services;
- (2) A detailed report on efforts being made to find employment with potential awardees, or any other entity, for separated Department of Parks and Recreation day care employees;
- (3) An examination of whether the District's laws on privatization (section 105b of the District of Columbia Procurement Practices Act of 1985, effective March 19, 1994 (D.C. Law 10-79; D.C. Official Code § 2-301.05b)) have been followed; and
- (4) A detailed report on the future of special needs/developmental programs and care in the Department of Parks and Recreation and the District.

(b) All day care services and child development programs that are proposed to be removed from the Department of Parks and Recreation during the fiscal year 2010, shall remain open until September 30, 2009.

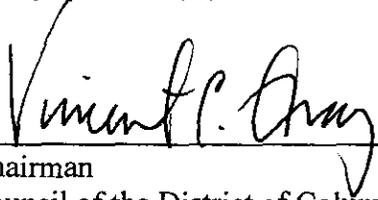
Sec. 3. Fiscal impact statement.

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

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Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia

~~UNSIGNED~~

Mayor
District of Columbia

May 26, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-98

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 28, 2009

To amend, on a temporary basis, Chapter 10 of Title 47 of the District of Columbia Official Code to provide a real property tax exemption for real property located at Lot 128, in Square 6159, property owned by CEMI - Ridgecrest, Inc., and to require that taxes and charges currently owed by CEMI-Ridgecrest, Inc., for the real property be paid for through a promissory note executed by the owner to the benefit of the District, subject to the submission of certain documents by the owner; and to amend the Equitable Parking Meter Rates Temporary Amendment Act of 2009 to provide funding to offset the fiscal impact of the tax relief for the owner, subject to the submission of certain documents by the owner.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "CEMI-Ridgecrest, Inc. - Walter Washington Community Center Real Property Tax Exemption and Equitable Real Property Tax Relief Temporary Amendment Act of 2009".

Sec. 2. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section 47-1082 to read as follows: "47-1082 CEMI-Ridgecrest, Inc. - Walter Washington Center, Lot 128 in Square 6159".

(b) A new section 47-1082 is added to read as follows:

"§ 47-1082 CEMI-Ridgecrest, Inc. - Walter Washington Community Center, Lot 128 in Square 6159.

"(a) The real property described as Lot 128 in Square 6159, and currently owned by CEMI-Ridgecrest, Inc., a District of Columbia nonprofit corporation, shall be exempt from taxation so long as the real property is owned and maintained by a nonprofit corporation and operated as a nonprofit community center promoting cultural, educational, and social service activities for a variety of District of Columbia government entities and nonprofit community based organizations, and is not used for commercial purposes.

"(b) Section 47-1005 shall apply with respect to the real property made exempt from taxation by this section; provided, that a portion of the real property may be rented out to another person or entity as long as the rent or other income generated shall be used for the maintenance and preservation of the real property.

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"(c) The nonprofit owner of the real property shall file the reports required by § 47-1007 and shall have appeal rights provided by § 47-1009."

Sec. 3. Section 3(a) of the Equitable Parking Meter Rates Temporary Amendment Act of 2009, effective March 31, 2009 (D.C. Law 17-374; 56 DCR 1390), is amended by adding a new paragraph (1C) to read as follows:

"(1C) \$132,864 to offset the fiscal impact of the tax relief authorized by the CEMI-Ridgecrest, Inc. - Walter Washington Community Center Real Property Tax Exemption and Equitable Real Property Tax Relief Emergency Amendment Act of 2009, passed on emergency basis on April 21, 2009 (Enrolled version of Bill 18-247), and the CEMI-Ridgecrest, Inc. - Walter Washington Community Center Real Property Tax Exemption and Equitable Real Property Tax Relief Temporary Amendment Act of 2009, passed on 2nd reading on May 5, 2009 (Enrolled version of Bill 18-248)."

Sec. 4. The Council orders that the amount necessary to redeem the real property located at Lot 128 in Square 6159, pursuant to § 47-1361(a)(1), shall be deposited with the Chief Financial Officer on behalf of the owner; provided, that all other amounts necessary to redeem the real property under § 47-1361 are paid from any source to the Chief Financial Officer on behalf of the owner; provided further, that if the real property is used for any purpose other than as a nonprofit community center, the sum of all such unpaid real property taxes and penalties and all real property taxes accruing thereafter, plus 5% interest, shall be paid to the District of Columbia; provided further, that this subsection shall constitute a lien against the real property to secure the repayment of such amounts; provided further, that all unpaid real property taxes, interest, penalties, fees, and other related charges assessed against the real property (except to the extent forgiven by the Office of the Chief Financial Officer) owed through September 30, 2009, shall be paid from any source to the Chief Financial Officer on behalf of the owner; provided further, that CEMI-Ridgecrest, Inc., shall pay any legal costs associated with the redemption of the property financed through a promissory note with the District government under the same terms as the promissory note, dated April 11, 2005, existing between the 2 parties.

Sec. 5. Applicability.

Section 2, 3, and 4 of this act shall apply upon the submission of the following documents to the Council and the Office of Tax and Revenue, Office of the Chief Financial Officer:

(1) The promissory note executed by CEMI - Ridgecrest, Inc., to the benefit of the District of Columbia, evidencing the repayment terms of a loan from the District to CEMI - Ridgecrest to improve the property located at Lot 128 in Square 6159; and

(2) A certification that CEMI - Ridgecrest, Inc., is exempt from federal income taxation under section 501(c)(3) of the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2085; 26 U.S.C. § 501(c)(3)).

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Sec. 6. Sunset.

This act shall expire on October 1, 2009.

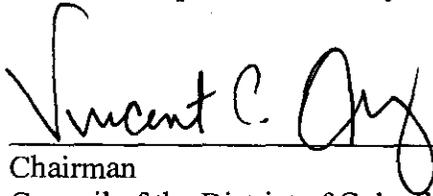
Sec. 7. Fiscal impact statement.

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

Sec. 8. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in 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 publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.



Chairman
Council of the District of Columbia

UNSIGNED

Mayor
District of Columbia
May 27, 2009

ENROLLED ORIGINAL

AN ACT
D.C. ACT 18-99

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
MAY 28, 2009

*Codification
District of
Columbia
Official Code*

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To amend, on an emergency basis, due to Congressional review, 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.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Continuation of Health Coverage Act Congressional Review Emergency Amendment Act of 2009”.

Sec. 2. Section 3a of the Continuation of Health Coverage Act of 2002, effective June 25, 2002 (D.C. Law 14-149; D.C. Official Code § 32-732(a)), is amended by striking the phrase “3 months” and inserting the phrase “3 months, or for the period of time during which the employee is eligible for premium assistance under the American Recovery and Reinvestment Act of 2009, approved February 17, 2009 (123 Stat. 115; 26 U.S.C. § 1, note)” in its place.

Note,
§ 32-732

Sec. 3. Fiscal impact statement.

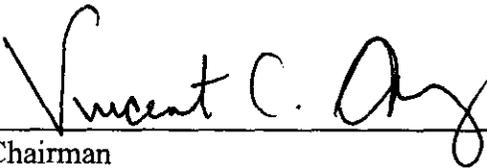
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

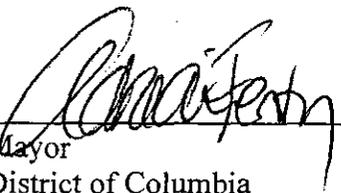
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

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412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
May 28, 2009

ENROLLED ORIGINAL

AN ACT
 D.C. ACT 18-100

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUNE 2, 2009

*Codification
 District of
 Columbia
 Official Code*

2001 Edition

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To amend, on an emergency basis, Chapter 3 of Title 47 of the District of Columbia Official Code to require the Mayor to submit to the Council specified information pertaining to capital projects of \$1 million or more for Council approval, and to require the Chief Financial Officer to submit to the Council an unaudited report before December 15 of each year on the expenditure of all pooled funds with a value of less than \$1 million and a comprehensive final report for all major capital projects and all minor capital projects in the prior fiscal year by February 1.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Capital Project Clarification Emergency Act of 2009".

Sec. 2. Chapter 3 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

"47-339.01. Capital Projects."

(b) A new section § 47-339.01 is added to read as follows:

"§ 47-339.01. Capital Projects.

Note,
 § 47-339

"(a) In addition to the requirements of sections 443 and 444 of the of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 799; D.C. Official Code §§ 1-204.43 and 1-204.44), funds shall not be encumbered, expended, or obligated for a capital project without a written:

"(1) Description of the scope of the project;

"(2) Purpose;

"(3) Estimated full funded cost;

"(4) Estimated impact on the operating budget;

"(5) Description of its geographic location, including the address and Ward;

except, that planning and other studies set forth section 103(8)(A) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 777; D.C. Official Code §§ 1-201.03(8)(A)), or a project established solely to procure capital equipment under the Master

ENROLLED ORIGINAL

Lease program shall not require a specified location;

“(6) A facility name or identifier, if applicable; and

“(7) A statement showing that it is included in the Capital Improvement Plan of the annual Budget and Financial Plan (“CIP”), or provided for in another District law.

“(b) Notwithstanding subsection (a) of this section, the CIP may include pooled funding for projects that are intended to support capital improvements at multiple locations; provided, that prior to expenditure of funds, a project, or sub-project, with an estimated value of \$1 million or more (“major capital project”) meets the requirements of subsection (a) of this section and is approved by the Council, in accordance with subsection (c) of this section.

“(c)(1) The Mayor shall submit to the Council the information required in subsection (a) of this section on any major capital project, along with a proposed resolution. If the proposed resolution is not approved or disapproved within 15 days, the proposed resolution, and the project, shall be deemed approved. If a proposed resolution of approval or disapproval is filed, the review period shall be 45 days from the date of submission to the Council.

“(2) A single proposed resolution may include more than one major capital project; provided, that when there is more than one major capital project under a proposed resolution, the projects are list by owner agency.

“(d) All major capital projects for which funds have been appropriated, in whole or in part, in fiscal year 2008, and all subsequent years, shall comply with the requirements of this act.

“(e) The Chief Financial Officer shall provide to the Council:

“(1) By December 15 of each year, for projects and sub-projects using pooled funding but with a value of less than \$ 1 million (“minor capital project”), an unaudited report on the expenditure of all pooled funds in the prior fiscal year by agency, location, purpose, and amount; and

“(2) By February 1 of each following year, a comprehensive final report that includes the information required by this act for all major capital projects and all minor capital projects in the prior fiscal year.”.

Sec. 3. Fiscal impact statement.

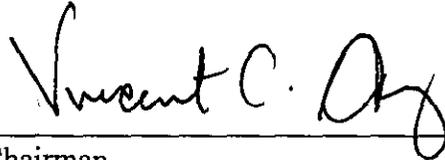
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602 (c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02 (c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia

UNSIGNED

Mayor
District of Columbia
May 28, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-101

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUNE 2, 2009

*Codification
District of
Columbia
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To amend, on an emergency basis, the District of Columbia Government Comprehensive Merit Personnel Act of 1978, to provide for an extension of the holdover period for members of the Public Employee Relations Board.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Public Employee Relations Board Holdover Extension Emergency Amendment Act of 2009".

Sec. 2. Section 501(h) 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 § 1-605.01(h)), is amended by adding a new sentence at the end to read as follows: "If the Council has not confirmed a nominee, pursuant to section 2(e)(17) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)(17)), for a vacancy in an office prior to the expiration of the term of the office, including any holdover period, the holdover period established under section 2(e)(17) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)(17)), for the office shall be extended for an additional 90 days or until a successor is nominated and confirmed, whichever is earlier."

Note,
§ 1-605.01

Sec. 3. Fiscal impact statement.

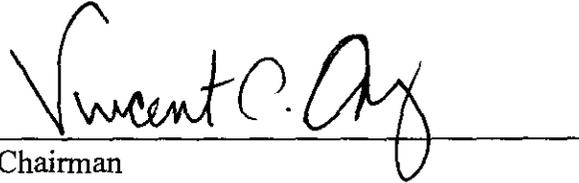
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602 (c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02 (c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia

UNSIGNED

Mayor
District of Columbia
May 28, 2009