

ENROLLED ORIGINAL

A RESOLUTION

18-166

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 16, 2009

To confirm the appointment of Mr. Christopher Landis to the Historic Preservation Review Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Historic Preservation Review Board Christopher Landis Confirmation Resolution of 2009".

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

Mr. Christopher Landis
6217 30th Street, N.W.
Washington, D.C. 20015
(Ward 4)

as a historic architect member of the Historic Preservation Review Board, established by Mayor's Order 83-119, issued May 6, 1983 (30 DCR 3031), in accordance with section 4 of the Historic Landmark and Historic District Protection Act of 1978, effective March 3, 1979 (D.C. Law 2-144; D.C. Official Code § 6-1103), replacing John Vlach, whose term ended July 21, 2008, for a term to end July 21, 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

18-167

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 16, 2009

To declare the sense of the Council on designating the District of Columbia a Preserve America Community.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Sense of the Council on Designating the District of Columbia a Preserve America Community Resolution of 2009".

Sec. 2. The Council finds that:

(1) Preserve America is a White House initiative developed in cooperation with the Advisory Council on Historic Preservation, the U.S. Department of the Interior, and the U.S. Department of Commerce. The objectives of the initiative include fostering a greater shared knowledge about our Nation's past, strengthened regional identities and local pride, increased local participation in preserving America's irreplaceable cultural and natural heritage assets, and support for the economic vitality of local communities.

(2) The Preserve America initiative is compatible with the interests and goals of the District of Columbia as it relates to historic preservation and the celebration of our local heritage, on both the District-wide and neighborhood levels.

(3) Designation as a Preserve America Community will improve the District's ability to protect and promote the historical and natural resources of the District of Columbia and help residents, and visitors, to understand and celebrate our shared history as a city.

Sec. 3. It is the sense of the Council that the District of Columbia should be designated a Preserve America Committee.

Sec. 4. The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Advisory Council on Historic Preservation and the Director of the Office of Planning.

Sec. 5. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

18-168

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 16, 2009

To confirm the appointment of Ms. Johnine P. Barnes to the Public Employee Relations Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Public Employee Relations Board Johnine P. Barnes Confirmation Resolution of 2009".

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

Ms. Johnine P. Barnes
2705 Rittenhouse Street, N.W.
Washington, D.C. 20015
(Ward 4)

as a public member of the Public Employee Relations Board, in accordance with section 501(c) 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(c)), for a term to end December 12, 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

18-169

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 16, 2009

To confirm the appointment of Mr. John P. Isa to the Public Employee Relations Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Public Employee Relations Board John P. Isa Confirmation Resolution of 2009".

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

Mr. John P. Isa
1445 Church Street, N.W., Apt. 24
Washington, D.C. 20005
(Ward 5)

as a public member of the Public Employee Relations Board, in accordance with section 501(c) 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(c)), for a term to end December 12, 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

18-170

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 16, 2009

To confirm the appointment of Ms. Mary Oates Walker to the Public Employee Relations Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Public Employee Relations Board Mary Oates Walker Confirmation Resolution of 2009".

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

Ms. Mary Oates Walker
4520 17th Street, N.W.
Washington, D.C. 20011
(Ward 4)

as a public member of the Public Employee Relations Board, in accordance with section 501(c) 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(c)), for a term to end December 12, 2009.

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

18-171

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 16, 2009

To confirm the appointment of Ms. Jennifer E. Chung to the Public Employee Relations Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Public Employee Relations Board Jennifer E. Chung Confirmation Resolution of 2009".

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

Ms. Jennifer E. Chung
1600 Belmont Street, N.W., Unit C
Washington, D.C. 20009
(Ward 1)

as a public member of the Public Employee Relations Board, chosen from a list of names proposed by an ad hoc committee appointed by the Mayor representing agency heads within the District government, in accordance with section 501(c) 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(c)), for a term to end December 12, 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

18-172

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 16, 2009

To confirm the appointment of Mr. Donald Wasserman to the Public Employee Relations Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Public Employee Relations Board Donald Wasserman Confirmation Resolution of 2009".

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

Mr. Donald Wasserman
4513 46th Street, N.W.
Washington, D.C. 20016
(Ward 3)

as a labor member of the Public Employee Relations Board, in accordance with section 501(c) 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(c)), for a term to end December 12, 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

18-173

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 16, 2009

To declare the existence of an emergency with respect to the need to approve the Crime Bill Emergency Amendment Act of 2009.

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

Sec. 2. The Council finds that:

(a) On February 6, 2009, the Omnibus Anti-Crime Amendment Act of 2009 ("Omnibus") was introduced by Chairman Gray on behalf of the Mayor.

(b) The 56-page Omnibus bill contained provisions on a variety of criminal matters, including: a revised anti-stalking law; civil gang injunctions; closing the courts on certain holidays; re-defining spousal privilege; increasing one mandatory-minimum penalty; lowering the standard of proof for pre-trial detention; enhancing the penalty for use of a stolen motor vehicle to commit a violent crime; and criminalizing being in a car with an illegal firearm.

(c) The Committee on Public Safety and the Judiciary held hearings on Bill 18-138, the Omnibus Anti-Crime Amendment Act of 2009, and Bill 18-151, the Public Safety and Justice Amendments Act of 2009, on March 18, 2009, and on May 18, 2009.

(d) It is unusual for comprehensive emergency legislation revising the criminal code to move before approval of the permanent legislation.

(e) However, the Executive has identified certain provisions of Bill 18-138, dealing with guns and violent crimes, that it wants effective this summer.

(f) On June 2, 2009, the Committee on Public Safety and the Judiciary noticed intent to move emergency legislation on certain provisions of Bills 18-138 and 18-151.

(g) Provisions regarding gang civil injunctions and pretrial detention are very controversial and have yet to receive consensus, therefore, these provisions are not included in the accompanying emergency.

(h) On June 12, 2009 the Council released a "Blueprint for Action: Responding to Gang, Crew, and Youth Violence in the District of Columbia," which offers a community-based, citywide strategy to diminish gang and crew violence through strategic and targeted intervention and prevention methods. The government must address the root causes that make young people

ENROLLED ORIGINAL

the target of gang and crew recruitment at the same time as increased law enforcement efforts.

(i) Markup of permanent legislation for Bills 18-138 and 18-151 by the Committee on Public Safety and the Judiciary is scheduled for June 26, 2009. First reading on the permanent legislation is anticipated to be June 30, 2009, and second reading on July 14, 2009, so this legislation should be approved prior to Council recess.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

18-174

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 16, 2009

To declare the existence of an emergency with respect to the need to authorize the Mayor to enter into an agreement with the Boys and Girls Club of Greater Washington to acquire certain properties owned and operated by the Boys and Girls Club of Greater Washington, and to authorize an incentive payment for its headquarters relocation to the District; and to amend section 320 of the District of Columbia Procurement Practices Act of 1985 to exempt the agreement to operate the Boys and Girls Clubs for the remainder of the calendar year from competitive bidding requirements.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Boys and Girls Club of Greater Washington Property Acquisition Emergency Declaration Resolution of 2009".

Sec. 2. (a) The Boys and Girls Club of Greater Washington ("BGCGW") announced that it would have to close many of its facilities in the Washington, D.C. area.

(b) The Mayor included \$15 million in the fiscal year 2010 budget for the purchase of the Frank R. Jelleff Branch facility.

(c) The Council identified additional facilities that were available to be acquired that would ensure the continued operation of facilities, and of additional programs, of BGCGW.

(d) If immediate action is not taken by the Council to authorize the Mayor to maintain and purchase the BGCGW properties, programs and services to District residents during the summer of 2009 may not be available.

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 Boys and Girls Club of Greater Washington Property Acquisition Emergency Act of 2009 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

18-175

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 16, 2009

To declare the existence of an emergency with respect to the need to amend section 16-916.01 of the District of Columbia Official Code to clarify the self-support reserve for a noncustodial parent with a legal duty to pay child support is aligned with revised poverty guideline figures.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Self-Support Reserve Revision Emergency Declaration Resolution of 2009".

Sec. 2. (a) The District of Columbia child support guidelines include a self-support reserve ("reserve") that allows a set amount of a noncustodial parent's income to be deducted from his or her adjusted gross income before the child support obligation is set. This reserve is to permit the noncustodial parent to maintain his or her own subsistence.

(b) The Child Support Guideline Revision Act of 2006 (D.C. Law 16-138; D.C. Official Code § 16-916.01 *et seq.*) ("2006 Act") sets the reserve amount at 133% of the United States Department of Health and Human Services poverty guideline per year for a single individual. The 2006 Act notes that the reserve amount, effective April 1, 2007, was \$12,382.

(c) The 2006 Act provided for the automatic update of the self-support reserve every 2 years from the effective date of the act according to revised poverty guideline figures. The 2006 Committee on the Judiciary report states that this automatic update is "necessary to ensure that non-custodial parents' subsistence needs are taken into account in the determination of child support."

(d) As the reserve is required to be updated every 2 years, the reserve should have been updated, with the new reserve amount published in the District of Columbia Register, no later than April 1, 2009.

(e) The U.S. Department of Health and Human Services poverty guideline for a single-person family for the 48 contiguous states and the District of Columbia, updated as of January 23, 2009, is \$10,830. The reserve amount, calculated as 133% of the revised poverty guideline, is \$14,404 as of April 1, 2009, and should have been updated in the District of Columbia Register.

ENROLLED ORIGINAL

(f) While the reserve amount factors into the calculation of all self-support orders, the increase in the reserve is particularly important for low-income, noncustodial parents as their level of income may not otherwise be adequate for their own subsistence.

(g) Even though the update to the reserve is not discretionary, is statutorily set as a percentage of the poverty guideline, and is to occur automatically every 2 years, the Executive has not published the revision, instead deferring to the Child Support Guideline Commission to make a recommendation. Given the law, however, no recommendation is necessary.

(h) Continued delay in updating the reserve as required by D.C. Official Code § 16-916.01(g)(1) will negatively affect the ability of low-income, noncustodial parents to subsist as they are required to pay more in child support than they are able to afford. This can ultimately impact the ability of the of the noncustodial parent to continue to contribute child support in contravention of the 2006 Act. Further, since the reserve amount was not revised on April 1, 2009, child support orders issued from that date are potentially subject to review or re-litigation.

(i) This emergency is not a change to the law, but simply a clarification of what is already stated in the statute.

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 Self-Support Reserve Revision Emergency Act of 2009 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately

ENROLLED ORIGINAL

A RESOLUTION

18-176

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 16, 2009

To declare the existence of an emergency with respect to the need to authorize the Chairman of the Council, the Chief Judge of the Superior Court of the District of Columbia, and the Mayor to appoint representatives to the National Conference of Commissioners on Uniform State Laws to advise the Mayor and the Council concerning proposals for uniform and model state laws, and to provide that a person who has been elected a life member of the National Conference of Commissioners on Uniform State Laws and the General Counsel to the Council shall also be members.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on Uniform State Laws Appointment Authorization Emergency Declaration Resolution of 2009".

Sec. 2. (a) The National Conference of Commissioners of Uniform State Laws ("NCCUSL") has been in existence for 117 years, and is one of the foremost organizations of state governments, whose 53 governmental members consist of the 50 states, the District of Columbia, the United States Virgin Islands, and Puerto Rico.

(b) The District of Columbia joined the NCCUSL in 1905.

(c) The Council has been continuously represented on the NCCUSL for at least 25 years. The NCCUSL will convene this year at its annual meeting on July 9, 2009. The current appointment of the Council representative expired on July 1, 2008, and despite several requests for reappointment, no response has been received and no action has been taken.

(d) The Constitution of the NCCUSL provides that the head of each state agency charged by law with the duty of drafting legislation is an Associate Member; however, an Associate Member is not eligible to be an Officer or participate in a vote by States or in other votes of NCCUSL.

(e) The District has had a representative of the judicial branch serving on NCCUSL for at least 15 years. The participation of a judicial branch representative is important in providing insight into how uniform and model acts affecting the jurisdiction of the courts will be implemented and applied.

ENROLLED ORIGINAL

(f) It is important that the Council also be represented on this national body that recommends legislation to be approved by the Council.

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 Commission on Uniform State Laws Appointment Authorization Emergency Act of 2009 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.