

ENROLLED ORIGINAL

AN ACT
D.C. ACT 18-157

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

*Codification
District of
Columbia
Official Code*

2001 Edition

2009 Fall
Supp.

West Group
Publisher

To amend the District of Columbia Government Quick Payment Act of 1984 to require the Chief Financial Officer, instead of the Chief Procurement Officer, to be responsible for reporting interest and penalties and reports on compliance with the act.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Quick Payment Amendment Act of 2009".

Sec. 2. Section 6(a), (b), and (c) of the District of Columbia Government Quick Payment Act of 1984, effective March 15, 1985 (D.C. Law 5-164; D.C. Official Code § 2-221.05(a), (b), and (c)), is amended by striking the phrase "Director of the Office of Contracting and Procurement" wherever it appears and inserting the phrase "Chief Financial Officer" in its place.

Amend
§ 2-221.05

Sec. 3. Fiscal impact statement.

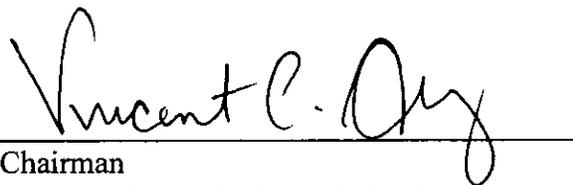
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 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), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

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24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED
July 28, 2009

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D.C. ACT 18-158

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To amend the District of Columbia Procurement Practices Act of 1985 to modify the procedures for debarring or suspending a person or business from consideration for an award of District contracts or subcontracts by eliminating the Debarment and Suspension Panel and establishing the Chief Procurement Officer as the sole debarment and suspension authority.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Debarment and Suspension Procedures Amendment Act of 2009".

Sec. 2. Section 804 of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-308.04), is amended as follows:

Note,
§ 2-308.04

(a) Subsections (a), (b), (b-1), (c), (d), (e), and (g) are amended by striking the phrase "Debarment and Suspension Panel" wherever it appears and inserting the defined term "CPO" in its place.

(b) Subsection (b) is amended as follows:

(1) The lead-in language is amended by striking the phrase "debarment of suspension" and inserting the phrase "debarment or suspension" in its place.

(2) Paragraph (4) is amended by striking "local, small, or disadvantaged business status, or eligibility, under the Equal Opportunity for Local, Small, and Disadvantaged Business Enterprises Act 1992, effective March 17, 1993 (D.C. Law 9-217; D.C. Code § 1-1152 *et seq.*)" and inserting the phrase "certified business enterprise status or eligibility under the Small, Local, and Disadvantaged Business Enterprises and Development Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*)" in its place.

(c) Subsection (c) is amended as follows:

(1) Paragraph (1A) is amended by striking the word "contractor" and inserting the phrase "person or business" in its place.

(2) Paragraph (2) is amended by striking the phrase "business involved of its rights" and inserting the phrase "person or business involved of the right" in its place.

(d) Subsection (h) is repealed.

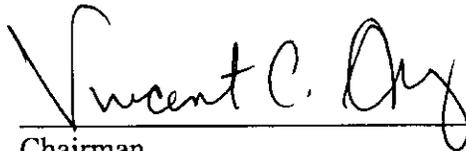
ENROLLED ORIGINAL

Sec. 3. Fiscal impact statement.

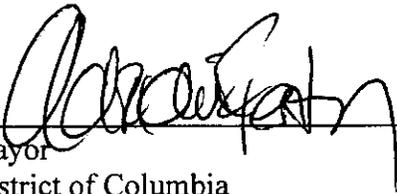
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 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), 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.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
July 28, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-159

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 28, 2009

*Codification
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To amend An Act To grant additional powers to the Commissioners of the District of Columbia, and for other purposes to authorize District departments, offices, and agencies to place orders with any other department, office, or agency of the District for materials, supplies, equipment, work, or services of any kind that such requisitioned department, office, or agency may be in a position to supply or equipped to render without the prior approval of the Office of Contracting and Procurement, and to require the Mayor to submit annually a report for all such orders.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Placement of Orders with District Departments, Offices, and Agencies Amendment Act of 2009".

Sec. 2. The first sentence of section 1(k)(1) of An Act To grant additional powers to the Commissioners of the District of Columbia, and for other purposes, approved December 20, 1944 (58 Stat. 819; D.C. Official Code § 1-301.01(k)(1)), is amended to read as follows:

Amend
§ 1-301.01

"The Mayor may authorize the heads of District departments, offices, and agencies to place orders with any other department, office, or agency of the District for materials, supplies, equipment, work, or services of any kind that the requisitioned department, office, or agency may be in a position to supply or equipped to render; provided, that the Mayor shall submit annually to the Council a report of all Memoranda of Understanding between District agencies involving an exchange of materials, supplies, equipment, work, or services of any kind."

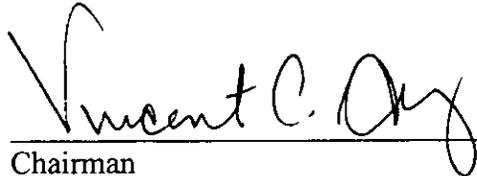
Sec. 3. Fiscal impact statement.

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)).

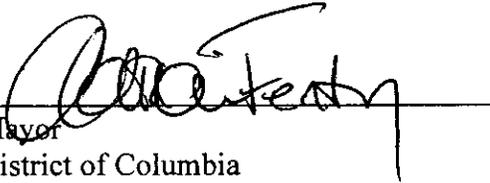
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Sec. 4. Effective date.

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), 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.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED
July 28, 2009

ENROLLED ORIGINAL

AN ACT
D.C. ACT 18-160

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

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To amend the District of Columbia Procurement Practices Act of 1985 to authorize electronic procurement by Reverse Auction, to shorten the required period of public notice by the Office of Contracting and Procurement regarding invitations for bids, to authorize the Chief Procurement Officer to cancel solicitations without having to notify the Office of the Inspector General, to reduce the small purchase limit for the Metropolitan Police Department and the Office of the Chief Technology Officer, and to authorize electronic procurement.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Procurement Practices Amendment Act of 2009".

Sec. 2. The District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-301.01 *et seq.*), is amended as follows:

(a) Section 107 (D.C. Official Code § 2-301.07) is amended as follows:

(1) New paragraphs (9A), (9B), and (9C) are added to read as follows:

"(9A) "Commercial product" means a product, item, material, component, subsystem, or system that is sold or traded to the general public in the course of normal business operations at an established catalog price or market price.

"(9B) "Commercial services" means installation, maintenance, repair, training, or other services for the proper use of a commercial product or services that are offered and sold competitively in substantial quantities in the commercial marketplace based on an established catalog price or market price for specific tasks performed under standard commercial terms and conditions, not including services that are sold based on hourly rates without an established catalog price or market price.

"(9C) "CPO" means the Chief Procurement Officer."

(2) New paragraphs (22B) and (22C) are added to read as follows:

"(22B) "Electronic procurement" means the planning, requisitioning, and acquisition of supplies and services via an electronic medium.

"(22C) "Electronic signature" means an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record."

Amend
§ 2-301.07

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(3) A new paragraph (52) is added to read as follows:

“(52) “Written” or “in writing” means the product of any method of forming characters on paper, other materials, or viewable screens which can be read, retrieved, and reproduced, including information that is electronically transmitted and stored.”.

(b) Section 302(a) and (b) (D.C. Official Code § 2-303.02(a) and (b)) is amended to read as follows:

Amend § 2-303.02

“(a) Except as otherwise authorized by law, all District government contracts shall be awarded by:

- “(1) Competitive sealed bidding pursuant to section 303;
- “(2) Competitive sealed proposals pursuant to section 304;
- “(3) Noncompetitive negotiations pursuant to section 305;
- “(4) Human care agreements pursuant to section 306a;
- “(5) Small purchase procedures pursuant to section 321; or
- “(6) Reverse Auctions pursuant to section 1203(a).

“(b) In selecting one of the methods authorized by this section for the awarding of contracts, the contracting officer shall determine the most appropriate method for awarding contracts.”.

(c) Section 303(c) (D.C. Official Code § 2-303.03(c)) is amended as follows:

Amend § 2-303.03

(1) Strike the phrase “30 days” wherever it appears and insert the phrase “21 days” in its place.

(2) Strike the 3rd sentence.

(d) Section 307 (D.C. Official Code § 2-303.07) is amended by striking the 2nd sentence.

Amend § 2-303.07

(e) Section 321 (D.C. Official Code § 2-303.21) is amended as follows:

Amend § 2-303.21

(1) Strike the phrase “\$500,000 for the Metropolitan Police Department and the Office of the Chief Technology Officer, and”.

(2) Strike the phrase “for all other” and insert the phrase “for other” in its place.

(f) A new Title XII is added to read as follows:

“Title XII. Electronic commerce; acquisition and disposition.

“Sec. 1201. Electronic transactions.

“(a) Notwithstanding any other provisions of this act, the CPO may acquire supplies and services through:

“(1) Electronic solicitation and bid response; or

“(2) Electronic auctions.

“(b) In selecting one of the methods authorized by this section, upon proper validation and authorization, a contracting officer may accept electronic signatures for all electronic commerce transactions.

“Sec. 1202. Electronic procurement.

“(a) The CPO may issue a solicitation by any electronic medium, including the Internet, electronic mail, or disk medium.

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“(b) The CPO may accept responses to solicitations by any electronic medium, including the Internet, electronic mail, or disk medium.

“Sec. 1203. Electronic auctions.

“(a) The CPO may procure commercial products or commercial services through Reverse Auctions.

“(b) The CPO may place any requirement for a commercial product or commercial service on an established online Reverse Auction exchange that would allow any bidder to competitively bid down the price of that commercial product or commercial service over a stated period of time established by the CPO.

“(c) The CPO may establish an online auction exchange for the purposes of executing Reverse Auction transactions on behalf of the District.

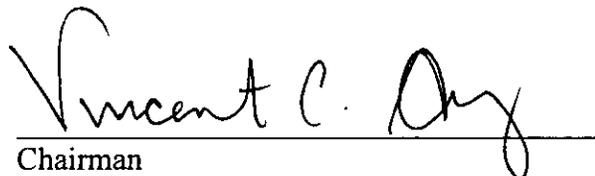
“(d) The CPO may establish an online standard auction exchange for the purpose of executing standard auction transactions on behalf of the District government.”.

Sec. 3. Fiscal impact statement.

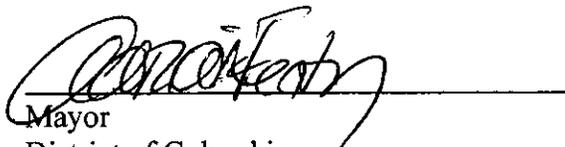
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 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), 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.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
July 28, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-161

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 28, 2009Codification
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Publisher

To amend the Retail Service Station Act of 1976 to provide for increased safety and enhanced security by requiring video surveillance at District of Columbia gas stations, and warning signs, to require the Metropolitan Police Department to develop a public service video announcement to educate consumers as to the potential risks at service stations, and to require police officers to review video surveillance footage for crimes committed at those service stations.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Enhanced Security at Gas Stations Amendment Act of 2009".

Sec. 2. The Retail Service Station Act of 1976, effective April 19, 1977 (D.C. Law 1-123; D.C. Official Code § 36-301.01 *et seq.*), is amended by adding a new Title II-A to read as follows:

"TITLE II-A

"SECURITY AT RETAIL SERVICE STATIONS

"Sec. 3-121. Security requirements for retail service stations.

"(a) The operator of a retail service station shall install video surveillance equipment to monitor all pumps at the retail service station within 6 months after the effective date of this section. The Metropolitan Police Department shall review the surveillance video in the event of a crime committed at the station.

"(b)(1) The operator of a retail service station shall display a warning sign at each pump and at the attendant's duty station that warns:

"(A) Always remove the keys from a vehicle;

"(B) Lock all doors when exiting a vehicle; and

"(C) Premises under surveillance.

"(2) The measurements for each sign shall exceed 8 inches by 8 inches.

"(3) The text for each sign shall be in boldface and shall exceed a 36-point font.

"(4) The text and background for each sign shall be in contrasting colors.

"Sec. 3-122. Retail service station security public service announcement.

"Within 90 days after the effective date of this section, the Metropolitan Police

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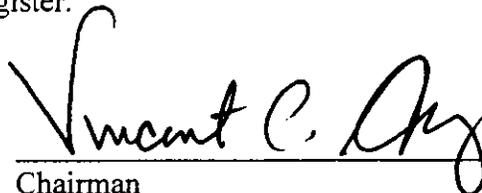
Department shall produce a public service announcement video which will be available for broadcast on the cable television channels allocated to the District government and made accessible at the Metropolitan Police Department website warning consumers of the potential dangers at retail service stations.”.

Sec. 3. Fiscal impact statement.

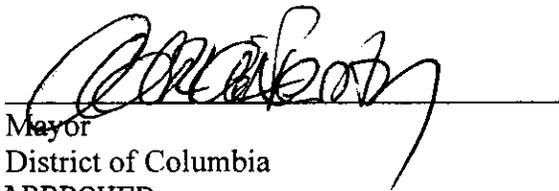
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 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), 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.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
July 28, 2009

ENROLLED ORIGINAL

AN ACT
D.C. ACT 18-162IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
JULY 28, 2009*Codification
District of
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Official Code*

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2009 Fall
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Publisher

To require the Mayor to establish a program for enhanced management and enforcement of loading zones to increase availability and efficiency of curbside loading zones and to reduce double parking by loading vehicles.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Commercial Curbside Loading Zone Implementation Act of 2009".

Sec. 2. Curbside loading zone management program.

(a) The Mayor shall establish a curbside loading zone management program ("program"). The purpose of the program is to increase availability and efficiency of curbside loading zones and reduce double parking by loading vehicles. The Mayor shall submit rules for this program to the Council pursuant to section 3. The program rules may include:

- (1) Establishing loading zone meter fees;
- (2) Determining minimum curbside loading zone space requirements;
- (3) Providing for enhanced enforcement, which may include the following:
 - (A) Increased fines for violations;
 - (B) Dedicated enforcement personnel;
 - (C) Improved signage; and
 - (D) Automated enforcement;
- (4) Determining eligibility for use of curbside loading zones;
- (5) Providing for electronic payment cards; and
- (6) Establishing requirements for monitoring loading zone performance and for

adjusting meter rates, loading zone space requirements, and enforcement to improve performance.

(b) The Mayor shall consult with business organizations, residents, and other appropriate stakeholders in developing the curbside loading zone management program.

Sec. 3. Rules.

(a) Within 120 days of the effective date of this act, the Mayor, pursuant to Title 1 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat.

ENROLLED ORIGINAL

1204; D.C. Official Code §2-501 *et seq.*), shall issue rules to implement the provisions of this act.

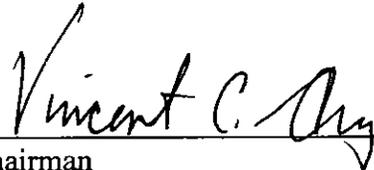
(b) The proposed rules shall be submitted to the Council for a 30-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, in whole or in part, by resolution within this 30-day review period, the proposed rules shall be deemed approved.

Sec. 4. Fiscal impact statement.

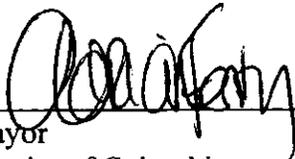
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This 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.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
July 28, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-163

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 28, 2009

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To designate the public alley in Square 3116, bounded by the 100 blocks of U Street, N.W., and V Street, N.W. and the 2000 blocks of 1st Street, N.W., and Flagler Place, N.W., as Bloomingdale Court, in Ward 5.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Bloomingdale Court Alley Designation Act of 2009".

Sec. 2. Pursuant to sections 401 and 403 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 § 9-204.01 and § 9-204.03), the Council designates the alley in Square 3116, bordered by the 100 blocks of U Street, N.W., and V Street, N.W., and the 2000 blocks of 1st Street, N.W., and Flagler Place, N.W., as "Bloomingdale Court".

Note,
§ 9-204.01

Sec. 3. Transmittal.

The Secretary to the Council shall transmit a copy of this act, after it becomes effective, to the Office of the Surveyor and to the District Department of Transportation.

Sec. 4. Fiscal impact statement.

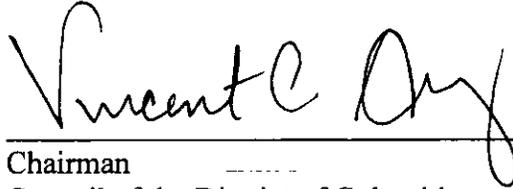
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

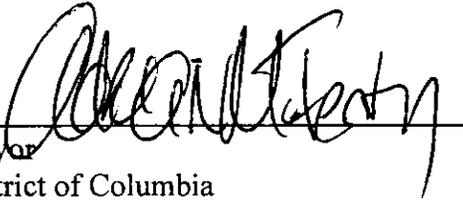
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

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24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

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July 28, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-164

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 28, 2009

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To accept the dedication of land for street and alley purposes, to amend the permanent system of highways to add land to create new public streets, to designate the new public streets as Water Lily Lane, N.E., and Cassell Place, N.E., and to approve the proposed transfer of jurisdiction of land from the National Park Service to the District of Columbia, for residential purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modifications To The Permanent System Of Highways and Designation of Water Lily Lane, N.E., and Cassell Place, N.E., S.O. 07-3090, and Transfer of Jurisdiction of Portions of Parcel 170/27 and Parcel 170/28, Act of 2009".

Sec. 2. Pursuant to section 302(c) 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 § 9-203.02(3)) ("Act"), and notwithstanding the requirements of section 304 of the Act (D.C. Official Code § 9-203.04), the Council accepts the dedication, in fee simple absolute, of the land necessary for street and alley purposes as shown on the Surveyor's Plat filed under S.O. 07-3090.

Note,
§ 9-203.02

Sec. 3. Notwithstanding section 6 of An Act to provide a permanent system of highways in that part of the District of Columbia lying outside the cities, and for other purposes, approved June 28, 1898 (30 Stat. 520; D.C. Official Code § 9-101.06), the Council amends the permanent system of highways, to accommodate the residential development in accordance with the plans approved pursuant to Zoning Commission Case No. 06-30, by adding the area of land shown on the Surveyor's plat filed under S.O. 07-3090 as new public streets, which pursuant to section 401 of the Act (D.C. Official Code § 9-204.01), and notwithstanding section 402 of the Act (D.C. Official Code § 9-204.02), shall be designated as Water Lily Lane, N.E., and Cassell Place, N.E.

Note,
§ 9-101.06

Sec. 4. (a) Pursuant to section 1 of An Act to Authorize the Transfer of Jurisdiction Over Public Land in the District of Columbia, approved May 20, 1932 (47 Stat. 161; D.C.

Note,
§ 10-111

ENROLLED ORIGINAL

Official Code § 10-111), the Council approves the transfer of jurisdiction from the United States, by the National Park Service, for residential purposes, of that certain land commonly known as undeveloped land generally adjacent to Anacostia Avenue, N.E., and Hayes Street, N.E., and more particularly described as a portion of Parcel 170/27 and Parcel 170/28, containing approximately 203,903 square feet of land area, being the same property as previously transferred for park purposes as part of U.S. Reservation 343G through a transfer of jurisdiction from the District of Columbia to the National Park Service, as shown on that certain plat recorded on October 12, 1950, and in the Office of the Surveyor for the District of Columbia in Book 131 at Page 97 ("Property"). Approval of this transfer is subject to the restriction that the Property be used for residential purposes in accordance with the plans approved pursuant to Zoning Commission Case No. 06-30.

Sec. 5. The Surveyor shall assure that the transfer of jurisdiction plat has been signed by the National Park Service and the National Capitol Planning Commission prior to recording the transfer of jurisdiction plat.

Sec. 6. Transmittal.

The Secretary to the Council shall transmit a copy of this of this act, upon its effective date, to the Office of the Surveyor, the Executive Director of the National Capital Planning Commission, the Speaker of the United States House of Representatives, the President Pro Tempore of the United States Senate, the Director of the National Park Service, and the Regional Director of the National Capital Parks, National Park Service.

Sec. 7. Fiscal impact statement.

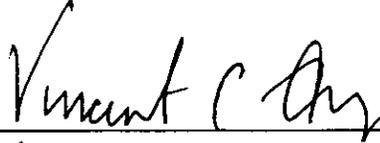
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 8. Effective date.

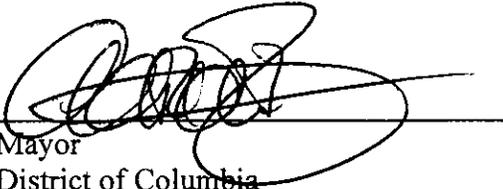
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENROLLED ORIGINAL

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
July 28, 2009

ENROLLED ORIGINAL

AN ACT
D.C. ACT 18-165

*Codification
District of
Columbia
Official Code*

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

To amend Chapter 10 of Title 47 of the District of Columbia Official Code to exempt from taxation certain real property owned, or occupied under a ground lease, by KIPP DC, a nonprofit corporation, or by KIPP DC – Douglass QALICB, Inc., a subsidiary of KIPP DC.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “KIPP DC Douglass Property Tax Exemption 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 designation to read as follows:

“47-1082. KIPP DC – Douglass Property; Lot 950, Square 5872.”.

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

“§ 47-1082. KIPP DC – Douglass Property; Lot 950, Square 5872.

“(a) The real property located at 2600-2620 Douglas Road, S.E., and described as Lot 950, Square 5872, shall be exempt from real property taxation, including possessory interests, so long as the real property continues to be owned, or occupied under a ground lease, by KIPP DC or KIPP DC – Douglass QALICB, Inc.

“(b) Any transfer, assignment, or other disposition of all or any portion of the real property described in subsection (a) of this section, including an assignment of leasehold interest in the real property or a sublease of the real property, between KIPP DC and KIPP DC – Douglass QALICB, Inc., shall be exempt from the tax imposed by § 42-1103 and § 47-903.”.

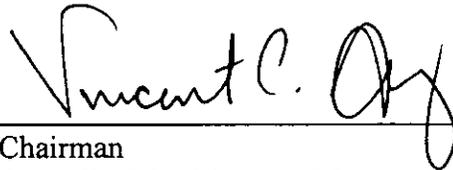
Sec. 3. Fiscal impact statement.

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)).

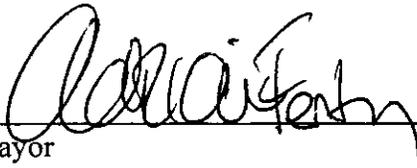
ENROLLED ORIGINAL

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), 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.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
July 28, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-166

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 28, 2009

To close a portion of the public alley system in Square 2892, bounded by Lamont Street, N.W., Georgia Avenue, N.W., Kenyon Street, N.W., and Sherman Avenue, N.W., in Ward 1.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of a Portion of the Public Alley in Square 2892, S.O. 08-6440, 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 portion of the alley system in Square 2892, as shown on the Surveyor's plat filed under S.O. 08-6440, 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 alley closing is contingent upon the satisfaction of all the conditions set forth in the official file of S.O. 08-6440, including the establishment of a private alley with a public access easement.

Sec. 3. 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 Recorder of Deeds.

Sec. 4. Fiscal impact statement.

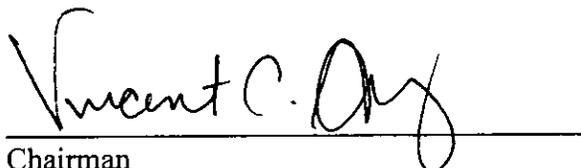
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

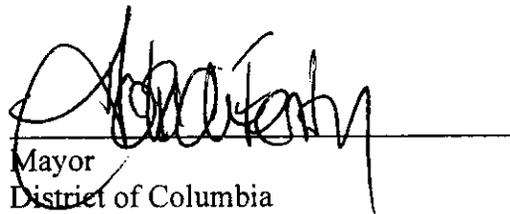
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENROLLED ORIGINAL

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED
July 28, 2009

ENROLLED ORIGINAL

AN ACT
D.C. ACT 18-167

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 28, 2009*Codification
District of
Columbia
Official Code*

2001 Edition

2009 Fall
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Publisher

To authorize the Mayor to regulate vending in the District, to require vendors to vend only from designated locations, to grandfather existing vendors into designated vending locations, to authorize vending development zones within which alternative forms of regulation of vending may be tested, to authorize the Mayor to charge fees for licenses and other authorizations to vend from public space, to authorize the imposition of civil fines for the violation of this act or rules issued pursuant to this act, and to authorize the regulation of public markets; and to amend An act to authorize the Commissioners of the District of Columbia to make police regulations for the government of said District, the Fiscal Year 1997 Budget Support Act of 1996, Title 47 of the District of Columbia Official Code, and An Act Relating to the adulteration of feed and drugs in the District of Columbia to make conforming amendments.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Vending Regulation Act of 2009".

Sec. 2. Definitions.

For the purposes of this act, the term:

- (1) "Fund" means the Vending Regulation Fund established by section 8(b).
- (2) "Public market" means a vending operation that takes place in an area of public space set aside and permitted on a regular basis for the sale of goods, merchandise, or services provided onsite, which vending operation includes a farmers market, flea market, or antique market.
- (3) "Vending locations" means the specific locations designated by the Mayor on sidewalks, roadways, and other public space at which a person may vend.
- (4) "Vending site permit" means a permit or other authorization issued by the Mayor for a vending location.

Sec. 3. Vending from public space.

(a) Except as set forth in subsection (b) of this section, a person shall not vend from a sidewalk, roadway, or other public space unless the person holds:

ENROLLED ORIGINAL

(1) A basic business license properly endorsed as provided in subsection (c) of this section;

(2) A vending site permit, or other authorization issued by the Mayor, setting forth the specific location on public space from which the person may vend; and

(3) Such other licenses, permits, and authorizations that the Mayor may require by rule.

(b) The Mayor may authorize the following persons to vend from public space without a basic business license or vending site permit:

(1) An employee or youth assistant of a licensed vendor;

(2) A person vending at a licensed special event; and

(3) A person vending at a public market that has been issued a valid permit by the Mayor.

(c)(1) An endorsement to vend food pursuant to this act shall be issued as a Food Establishments: Retail endorsement to a basic business license under the basic business license system as set forth in subchapter I-A of Chapter 28 of Title 47 of the District of Columbia Official Code.

(2) An endorsement to vend merchandise or engage in street photography pursuant to this act shall be issued as a General Sales endorsement to a basic business license under the basic business license system as set forth in subchapter I-A of Chapter 28 of Title 47 of the District of Columbia Official Code.

Sec. 4. Vending locations.

(a) The Mayor shall designate the specific vending locations on sidewalks, roadways, and other public spaces where a person may vend.

(b) A person shall not vend from a location on a sidewalk, roadway, or other public space other than a vending location designated by the Mayor unless the person is vending at a special event or public market that has been issued a valid license or permit by the Mayor; provided, that notwithstanding any other provision of this act, vending locations established pursuant to section 6(c-1)(3) of the Vending Regulation Temporary Act of 2008, effective June 5, 2008 (D.C. Law 17-172; 55 DCR 9144), and the District of Columbia Department of Transportation and Department of Consumer and Regulatory Affairs Vending Consolidation of Public Space and Licensing Authorities Temporary Act of 2006, effective March 8, 2007 (D.C. Law 16-252; 54 DCR 631), shall remain designated vending locations unless:

(1) The space is to be used for a public purpose, including a roadway or public transportation needs, or to protect public safety; or

(2) The use of the real property in the immediate vicinity of the vending location changes and the Mayor determines, in his or her reasonable discretion, that the vending location is incompatible with such use.

(c) No more than 350 vending locations shall be established in Ward 2 at any time; provided, that vending locations on the National Mall shall not be included in this limitation.

ENROLLED ORIGINAL

(d) An authorization from the Mayor shall not be required for vending activities subject to section 105(h) of the First Amendment Rights and Police Standards Act of 2006, effective April 13, 2005 (D.C. Law 13-352; D.C. Official Code § 5-331.05(h)).

Sec. 5. Assignment of vending locations.

(a) A vendor shall not vend from a vending location without first obtaining a vending site permit from the Mayor.

(b) Vending locations shall be assigned by lotteries conducted by the Mayor, unless:

(1) The Mayor establishes an alternate means of assignment by rule;

(2) The vending location is located in a vending development zone, in which case the vending location may be assigned by lottery or such other means as may be established for the vending development zone; or

(3)(A) The vending location was permitted pursuant to the District of Columbia Department of Transportation and Department of Consumer and Regulatory Affairs Vending Consolidation of Public Space and Licensing Authorities Temporary Act of 2006, effective March 8, 2007 (D.C. Law 16-252; 54 DCR 631), and was assigned to an existing, licensed vendor.

(B) A vending location identified in subparagraph (A) of this paragraph shall remain assigned to the existing, licensed vendor; provided, that the vendor's license status remains in effect and in good standing.

(c) Vendors who are licensed as of the effective date of this act and had been, at any time, assigned a vending location pursuant to section 6(c-1)(3) of the Vending Regulation Temporary Act of 2008, effective June 5, 2008 (D.C. Law 17-172; 55 DCR 5377), shall be given a preference in lotteries conducted by the Mayor for assigning those vending locations. The lotteries shall be conducted monthly or on an alternative schedule as determined by the Mayor.

(d) Notwithstanding any provision of this section, a vending site permit shall constitute a revocable license and a vendor shall not acquire a property interest in the vending site permit.

Sec. 6. Vending development zones.

The Mayor may establish vending development zones, upon application and after public notice, in which the Mayor may waive the regulatory provisions, such as the design standards, the standards for designation of vending locations, and the procedure for assigning vending locations, otherwise applicable to vendors; provided, that the Mayor shall establish, by rule, a procedure for reviewing applications for the establishment of a vending development zone.

Sec. 7. Public markets.

The Mayor may require the permitting of public markets on public space and may require the licensing of managers of public markets on public space and private space.

ENROLLED ORIGINAL

Sec. 8. Fees and funding.

(a) The Mayor may establish fees, by rule, for the application for, and issuance of, each license, permit, and authorization required under this act or the rules issued pursuant to this act. The Mayor may establish the fees based on the class of license, vending location, or other relevant factors.

(b)(1) There is established as a nonlapsing fund the Vending Regulation Fund, which shall be used solely for the purposes set forth in paragraph (4) of this subsection.

(2) The following shall be deposited into the Fund:

(A) Fees paid for the application for, and issuance or renewal of, a basic business license endorsed for vending;

(B) Fees paid for the application for, and issuance or renewal of, a vending site permit or other licenses, permits, or authorizations issued by the Mayor under this act;

(C) Funds authorized by an act of Congress, reprogramming, or intra-District transfer to be deposited into the Fund;

(D) Any other funds designated by law or rule to be deposited into the Fund; and

(E) Interest on funds deposited in the Fund.

(3) All funds deposited into the Fund shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available for the uses and purposes set forth in paragraph (4) of this subsection, subject to authorization by Congress.

(4) Funds in the Fund may be used to pay the costs of administering this act, including costs associated with the application for, and issuance and renewal of, a basic business license as set forth in paragraph (2)(A) of this subsection, and the administration and enforcement of any rules issued under this act.

Sec. 9. Penalties.

The Mayor may establish civil penalties for the violation of this act and rules promulgated pursuant to this act, including the establishment of civil penalties pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*).

Sec. 10. Establishment of the Citywide Vending Task Force.

(a) Within 30 days after the effective date of this act, the Mayor shall create and convene the Citywide Vending Task Force ("Task Force"), consisting of representatives from the street vendor, small business, downtown business, and other affected communities, including District residents.

(b) The Task Force shall evaluate existing vending laws and rules to ensure maximum comprehensiveness, uniformity, and fairness for all stakeholders. Specifically, the Task Force

ENROLLED ORIGINAL

shall consider issues of grandfather clauses, insurance fees, lottery selection, and possible clarification of existing grounds of revocation of a vending license.

(c) Within 120 days after the effective date of this act, the Task Force shall conclude its work by presenting a report and recommendation to the Council on its specific findings, including a legislative recommendation on whether to establish a permanent vending commission.

Sec. 11. Rules.

The Mayor, pursuant to Title 1 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement this act, including rules regulating the location, the design, and the maintenance of vendor carts, stands, vehicles, and other equipment, and rules requiring that persons vending from public space maintain insurance in such form and amount as may be required by the Mayor. The proposed rules shall be submitted to the Council for a 60-day period of review, excluding weekends, holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, by resolution, within the 60-day review period, the proposed rules shall be deemed disapproved.

Sec. 12. Conforming amendments.

(a) Paragraph (3) of An act to authorize the Commissioners of the District of Columbia to make police regulations for the government of said District, approved January 26, 1887 (24 Stat. 368; D.C. Official Code § 1-303.01(3)), is repealed.

Amend
§ 1-303.01

(b) Section 602(2) of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code § 10-1141.02(2)), is amended by striking the phrase "pursuant to paragraph 36 of section 7 of An Act Making appropriations for the fiscal year ending June thirtieth, nineteen hundred and three, and for other purposes, approved July 1, 1902 (32 Stat. 627; D.C. Code § 47-2834)" and inserting the phrase "by the Mayor pursuant to the Vending Regulation Act of 2009 passed on 2nd reading on July 14, 2009 (Enrolled version of Bill 18-257)," in its place.

Amend
§ 10-1141.02

(c) Title 47 of the District of Columbia Official Code is amended as follows:

(1) Section 47-2002.01 is amended as follows:

(A) Subsection (a) is amended to read as follows:

Amend
§ 47-2002.01

"(a) For the purposes of this section, the term "street vendor" means a person licensed to vend from a sidewalk, roadway, or other public space under the Vending Regulation Act of 2009, passed on 2nd reading on July 2, 2009 (Enrolled version of Bill 18-257)."

(B) Subsection (b) is amended as follows:

(i) Paragraph (2) is amended by striking the phrase "Class A license, Class B license, Class C nonfood license, Class C food license, or any combination of these licenses" and inserting the phrase "license authorizing the vending of merchandise, food, or services from public space or from door to door, including a temporary license" in its place.

ENROLLED ORIGINAL

(ii) Paragraph (4) is repealed.

(2) Sections 47-2020(d) and 47-2834 are repealed.

(3) The table of contents for Chapter 28 of Title 47 of the District of Columbia Official Code is amended by striking the phrase "47-2834. Sales on streets or public places." and inserting the phrase "47-2834. Sales on streets or public places. [Repealed]" in its place.

(4) Section 47-2851.13(b) is amended to read as follows:

"(b)(1) Except as provided in paragraph (2) of this subsection, all fees collected for the issuance of a basic business license and endorsements, including renewals and fines, shall be deposited in the Fund. The entire cost of the basic business licensing system shall be paid from the Fund and no other appropriated funds may be used for that purpose.

"(2) Fees paid for the application for, and issuance or renewal of, a basic business license and endorsements to the basic business license for vending pursuant to section 3(c)(2) of the Vending Regulation Act of 2009, passed on 2nd reading on July 14, 2009 (Enrolled version of Bill 18-257), shall be deposited in the Vending Regulation Fund established by section 8(b) of the Vending Regulation Act of 2009, passed on 2nd reading on July 14, 2009 (Enrolled version of Bill 18-257)."

(d) Section 2(5)(A)(iii) of An Act Relating to the adulteration of foods and drugs in the District of Columbia, approved February 17, 1898 (30 Stat. 246; D.C. Official Code § 48-102(5)(A)(iii)), is amended by striking the phrase "unless the vending locations are authorized by the Council pursuant to An act to authorize the Commissioners of the District of Columbia to make police regulations for the government of said District, approved January 26, 1887 (24 Stat. 368; D.C. Official Code § 1-303.01)" and inserting the phrase "unless the vending locations are licensed by the Mayor pursuant to the Vending Regulation Act of 2009, passed on 2nd reading on July 14, 2009 (Enrolled version of Bill 18-257)" in its place.

Sec. 13. 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. 14. Effective date.

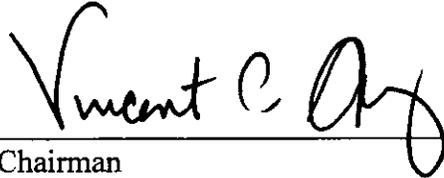
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved

Amend
§ 47-2020
Repeal
§ 47-2834

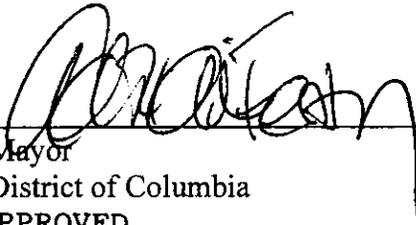
Amend
§ 47-2851.13

ENROLLED ORIGINAL

December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
July 28, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-168

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 28, 2009

To order the closing of a public alley in Square 5928, bounded by Lots 14 through 20 and 91 through 93 at the intersection of Valley Avenue, S.E., and 13th Street, S.E., in Ward 8.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of a Public Alley in Square 5928, S.O. 08-4393, 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 5928, as shown on the Surveyor's plat filed under S.O. 08-4393, 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 all conditions set forth in the official file of S.O. 08-4393.

Sec. 3. 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. 4. Fiscal impact statement.

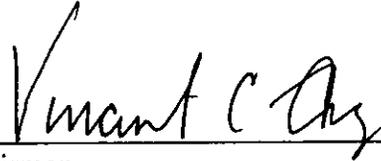
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

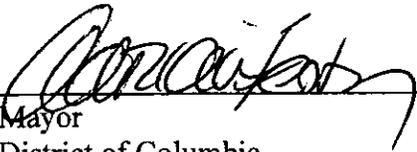
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENROLLED ORIGINAL

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED
JULY 28, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-169

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 30, 2009

*Codification
District of
Columbia
Official Code*

2001 Edition

2009 Fall
Supp.

West Group
Publisher

To provide, on a temporary basis, that the University of the District of Columbia shall have exclusive use of the Bertie Backus Middle School building and site.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "University of the District of Columbia Expansion Temporary Act of 2009".

Sec. 2. The University of the District of Columbia shall have exclusive use of the Bertie Backus Middle School building and site in Lot 802, Square 3757, located at 5171 South Dakota Avenue, N.E., in Ward 5, to expand upon its collegiate mission.

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)).

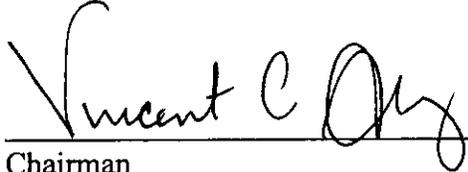
Sec. 4. Effective date.

(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

ENROLLED ORIGINAL

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
July 28, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-170

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 30, 2009

*Codification
District of
Columbia
Official Code*

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2009 Fall
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Publisher

To amend, on a temporary basis, the Cable Television Reform Act of 2002 to provide that the public access channels allocated to the Council shall be under the exclusive control of the Council.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Council Cable Autonomy and Control Temporary Amendment Act of 2009".

Sec. 2. Section 803 of the Cable Television Reform Act of 2002, effective October 9, 2002 (D.C. Law 14-193; D.C. Official Code § 34-1258.03), is amended by adding a new subsection (b-1) to read as follows:

Note,
§ 34-1258.03

“(b-1)(1) Notwithstanding any other provision of law, the PEG channels allocated to the Council under subsection (a)(4) of this section shall be under the exclusive control of the Council; provided, that, subject to subsection (b)(3) of this section, the Office shall manage the channels, pursuant to section 202(8), as the agent of the Council; provided further, that any video recordings or other documents, media, or intangible rights created in connection with the operation of the PEG channels shall be held by the Office as a custodian on behalf of the Council.

“(2) The control of the Council shall include the right to direct which proceedings of the Council, including any event conducted by or on behalf of the Council, its committees, members, or staff, whether on the PEG channel allocated to the Council or an auxiliary website from which the proceedings may be downloaded, streamed, or otherwise viewed, may be:

- “(A) Recorded;
- “(B) Broadcast; or
- “(C) Re-broadcast.

“(3) The Secretary to the Council shall determine the programming for the Council’s PEG channels in accordance with this subsection.

ENROLLED ORIGINAL

“(4) The Secretary to the Council may enter into a memorandum of understanding with the Office to implement this subsection.”.

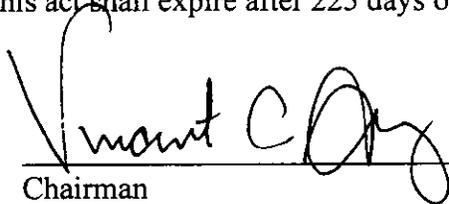
Sec. 3. Fiscal impact statement.

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.

(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
July 28, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-171

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 28, 2009

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2009 Fall
Supp.

West Group
Publisher

To require, on a temporary basis, that all jobs created by the American Recovery and Reinvestment Act of 2009 be listed on the Department of Employment Services website, to require the Mayor, through the Department of Employment Services, to maintain a list of all jobs created and filled by District residents as a result of the American Recovery and Reinvestment Act of 2009, and to require the Mayor to report the list of District residents hired.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Stimulus Accountability Temporary Act of 2009".

Sec. 2. Reporting requirements.

(a) All nonprofit organizations, companies, associations, contractors, and subcontractors who receive a grant or funding under the American Recovery and Reinvestment Act of 2009, approved February 17, 2009 (Pub. L. No. 111-5; 98 Stat. 1861) ("ARRA"), shall, as a condition of the grant, list all jobs that shall be created as a result of the grant on the Department of Employment Services website.

(b) All nonprofit organizations, companies, associations, contractors, and subcontractors who receive a grant or funding under the ARRA shall be required to provide the list of jobs to the Department of Employment Services.

(c) Once the positions created as a result of funds from the ARRA are filled, all nonprofit organizations, companies, associations, contractors, and subcontractors who receive a grant or funding under the ARRA are directed to inform the Department of Employment Services of the number of District residents hired for ARRA-funded positions.

Sec. 3. Requirements of the Mayor.

(a) The Mayor, through the Department of Employment Services, shall create a listing of all jobs that have become available through grants from the ARRA.

(b) The Mayor, through the Department of Employment Services, shall maintain a list

ENROLLED ORIGINAL

of ARRA-funded positions that have been given to District residents. The list of District residents hired as a result of ARRA funds and grants shall be reported to the Council.

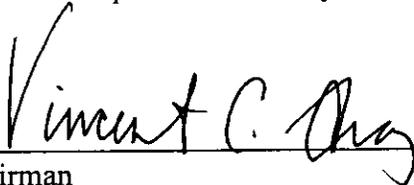
Sec. 4. Fiscal impact statement.

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

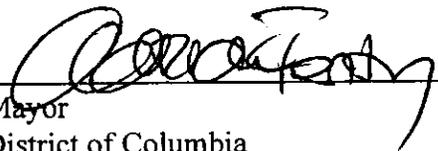
Sec. 5. Effective date.

(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



Mayor
District of Columbia
APPROVED
July 28, 2009

ENROLLED ORIGINAL

AN ACT
D.C. ACT 18-172

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
JULY 31, 2009

*Codification
District of
Columbia
Official Code*

2001 Edition

2009 Fall
Supp.

West Group
Publisher

To amend, on an emergency basis, the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to increase the creditable service for reduction-in-force actions for District residents from 3 years to 6 years.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "District Residency RIF Protection Emergency Amendment Act of 2009".

Sec. 2. Section 2402(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 § 1-624.02(c)), is amended by striking the phrase "shall have 3 years added" and inserting the phrase "shall have 6 years added" in its place.

Note,
§ 1-624.02

Sec. 3. Fiscal impact statement.

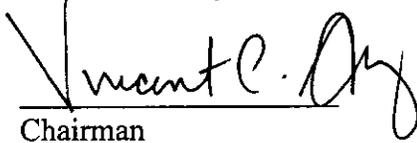
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

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

ENROLLED ORIGINAL

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
July 30, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-173

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

AUGUST 3, 2009

*Codification
District of
Columbia
Official Code*

2001 Edition

2009 Fall
Supp.

West Group
Publisher

To accept, on an emergency basis, the dedication of land for street and alley purposes, to amend the permanent system of highways to add land to create new public streets, to designate the new public streets as Water Lily Lane, N.E. and Cassell Place, N.E., and to approve the proposed transfer of jurisdiction of land from the National Park Service to the District of Columbia for residential purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modifications To The Permanent System Of Highways and Designation of Water Lily Lane, N.E., and Cassell Place, N.E., S.O. 07-3090, and Transfer of Jurisdiction of Portions of Parcel 170/27 and Parcel 170/28, Emergency Act of 2009".

Sec. 2. Pursuant to section 302(c) 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 § 9-203.02(3)) ("Act"), and notwithstanding the requirements of section 304 of the Act (D.C. Official Code § 9-203.04), the Council accepts the dedication, in fee simple absolute, of the land necessary for street and alley purposes, as shown on the Surveyor's Plat filed under S.O. 07-3090.

Sec. 3. Notwithstanding section 6 of An Act to provide a permanent system of highways in that part of the District of Columbia lying outside the cities, approved June 28, 1898 (30 Stat. 520; D.C. Official Code § 9-101.06), the Council amends the permanent system of highways to accommodate the residential development in accordance with the plans approved pursuant to Zoning Commission Case No. 06-30, by adding the area of land shown on the Surveyor's plat filed under S.O. 07-3090 as new public streets, which pursuant to section 401 of the Act (D.C. Official Code § 9-204.01), and notwithstanding section 402 of the Act (D.C. Official Code § 9-204.02), shall be designated as Water Lily Lane, N.E., and Cassell Place, N.E.

Sec. 4. Pursuant to section 1 of An Act To authorize the transfer of jurisdiction over public land in the District of Columbia, approved May 20, 1932 (47 Stat. 161; D.C. Official

Note,
§ 10-111

ENROLLED ORIGINAL

Code § 10-111), the Council approves the transfer of jurisdiction from the United States, by the National Park Service, for residential purposes, of that certain land commonly known as undeveloped land generally adjacent to Anacostia Avenue, N.E., and Hayes Street, N.E., and more particularly described as a portion of Parcel 170/27 and Parcel 170/28, containing approximately 203,903 square feet of land area, being the same property as previously transferred for park purposes as part of U.S. Reservation 343G through a transfer of jurisdiction from the District of Columbia to the National Park Service, as shown on that certain plat recorded on October 12, 1950, and in the Office of the Surveyor for the District of Columbia in Book 131 at Page 97 ("Property"). Approval of this transfer shall be subject to the restriction that the Property be used for residential purposes in accordance with the plans approved pursuant to Zoning Commission Case No. 06-30.

Sec. 5. The Surveyor shall assure that the transfer of jurisdiction plat has been signed by the National Park Service and the National Capitol Planning Commission prior to recording the transfer of jurisdiction plat.

Sec. 6. Transmittal.

The Secretary to the Council shall transmit a copy of this of this act, upon its effective date, to the Office of the Surveyor, the Executive Director of the National Capital Planning Commission, the Speaker of the United States House of Representatives, the President Pro Tempore of the United States Senate, the Director of the National Park Service, and the Regional Director of the National Capital Parks, National Park Service.

Sec. 7. Fiscal impact statement.

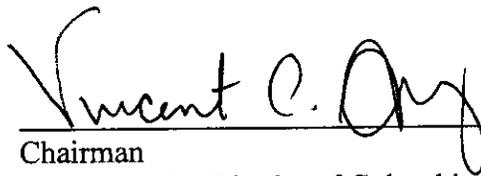
The Council adopts the fiscal impact statement in the committee report for the Modifications To The Permanent System Of Highways and Designation of Water Lily Lane, N.E., and Cassell Place, N.E., S.O. 07-3090, and Transfer of Jurisdiction of Portions of Parcel 170/27 and Parcel 170/28, Act of 2009, passed on 2nd reading on July 14, 2009, (Enrolled version of Bill 18-195), 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.

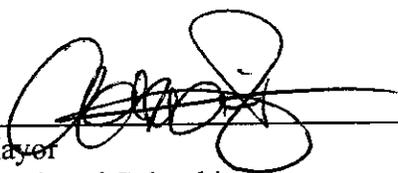
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

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



Mayor
District of Columbia
August 3, 2009

ENROLLED ORIGINAL

AN ACT
D.C. ACT 18-174

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
AUGUST 3, 2009

*Codification
District of
Columbia
Official Code*

2001 Edition

2009 Fall
Supp.

West Group
Publisher

To amend, on an emergency basis, Chapter 3 of Title 47 of the District of Columbia Official Code to clarify the calculation of the debt cap and the treatment of debt-service payments rebated to the District pursuant to 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 "Limitation on Borrowing and Establishment of the Operating Cash Reserve Technical Amendment Emergency Act of 2009".

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

(a) Section 47-334 is amended to read as follows:

"§ 47-334. Definitions.

"(1) "Debt Service" means the amount of money necessary to pay interest on outstanding District Bonds, including interest payments deferred to future years, the principal on maturing District Bonds, and the required contributions to a sinking fund for District Bonds, but excluding debt service payments rebated to the District pursuant to the American Recovery and Reinvestment Act of 2009, approved February 17, 2009 (123 Stat. 115; 26 U.S.C. § 1 note).

"(2) "District Bonds" means:

"(A) General obligation bonds issued pursuant to the Home Rule Act;

"(B) Treasury capital-project loans;

"(C) Tax supported revenue bonds, notes, or other debt instruments secured by revenues derived from taxes, fees, or other general revenues of the District, or its agencies and authorities, pursuant to the District's power to tax and impose fees, including tax increment financed bonds, notes, or other debt instruments and bonds, notes, or other debt instruments financed by payments in lieu of taxes, but excluding revenue bonds, notes, or other debt instruments issued for the purpose of funding water and sewer facilities, as described in section 490(a) of the Home Rule Act, and bonds, notes, or other debt instruments paid or secured by revenues from the Master Settlement Agreement with tobacco companies, federal grants, or revenues from the operation of public enterprises, so long as those enterprises are fully self-supporting;

Note,
§ 47-334

ENROLLED ORIGINAL

"(D) Certificates of participation, and

"(E) Lease purchase financing obligations.

"(3) "District Bond Issuance" means the District's authorizing, selling, and delivering of District Bonds, including District Bonds to refund outstanding District Bonds.

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

"(5) "Total Expenditures" means the total amount included in the Total Expenditures and Transfers line item in the enacted District Budget and Financial Plan for the General Fund for an applicable fiscal year, plus any Debt Service amounts in an applicable fiscal year on District Bonds for which the Debt Service on such District Bonds is not included in the Total Expenditures and Transfers line item in the enacted District Budget and Financial Plan for the General Fund."

(b) Section 47-335.02 is amended to read as follows:

"§ 47-335.02 Borrowing limitation.

Note,
§ 47-335.02

"(a) The Council shall not approve proposed District Bonds if the applicable annual Debt Service on the proposed District Bonds would cause the Debt Service on all District Bonds in the fiscal year in which the proposed District Bonds are issued, or in any of the 3 succeeding fiscal years, to exceed 12% of Total Expenditures in any applicable fiscal year, as contained in the most recently enacted District Budget and Financial Plan.

"(b) Obligations incurred pursuant to the authority contained in subchapter II of Chapter 3 of Title 3, obligations incurred by the agencies transferred or established by sections 201 or 202 of the Home Rule Act, whether incurred before or after such transfer or establishment, and obligations incurred pursuant to District Bonds issued prior to October 1, 1996, for the financing of Department of Public Works, Water and Sewer Utility Administration capital projects shall not be included in determining the aggregate amount of Debt Service on all outstanding District Bonds subject to the 12% limitation specified in subsection (a) of this section.

"(c) The 12% limitation specified in subsection (a) of this section shall be calculated by the Office of the Chief Financial Officer as follows:

"(1) Determine the dollar amount equivalent to 12% of the Total Expenditures during the fiscal year for which the proposed District Bonds will be issued and the 3 succeeding fiscal years;

"(2) Determine the actual total amount of Debt Service to be paid during the fiscal year for which the proposed District Bonds will be issued and the 3 succeeding fiscal years for all outstanding District Bonds;

"(3) Determine the amount of Debt Service to be paid during the fiscal year for which the proposed District Bonds will be issued and the 3 succeeding fiscal years; and

"(4) If in any applicable fiscal year the sum of paragraphs (2) and (3) of this subsection exceeds the amount determined under paragraph (1) of this subsection, then the proposed District Bonds or Treasury loan shall not be issued."

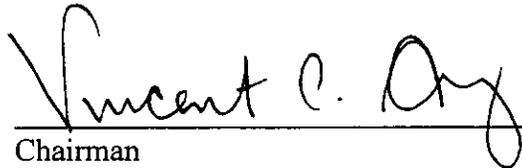
ENROLLED ORIGINAL

Sec. 3. Fiscal impact statement.

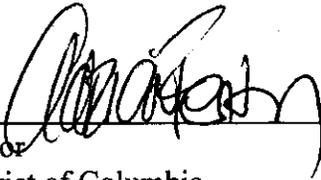
The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(3)).

Sec. 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



Mayor
District of Columbia

August 3, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-175IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
AUGUST 3, 2009

To close, on an emergency basis, a portion of the public alley system in Square 2892, bounded by Lamont Street, N.W., Georgia Avenue, N.W., Kenyon Street, N.W., and Sherman Avenue, N.W., in Ward 1.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of a Portion of the Public Alley in Square 2892, S.O. 08-6440, 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 portion of the alley system in Square 2892, as shown on the Surveyor's plat filed under S.O. 08-6440, 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 all conditions set forth in the official file S.O. 08-6440, including the establishment of a private alley with a public access easement.

Sec. 3. Transmittal.

The Secretary to the Council shall transmit a copy of this act, upon its effective date, to the Office of the Surveyor, the Office of Planning, the Building and Land Regulation Administration of the Department of Consumer and Regulatory Affairs, and the Recorder of Deeds.

Sec. 4. Fiscal impact statement.

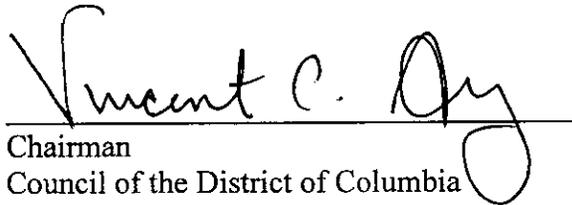
The Council adopts the fiscal impact statement in the committee report for the Closing of a Portion of the Public Alley in Square 2892, S.O. 08-6440, Act of 2009, passed on 2nd reading on July 14, 2009 (Enrolled version of Bill 18-251) as the fiscal impact statement required by

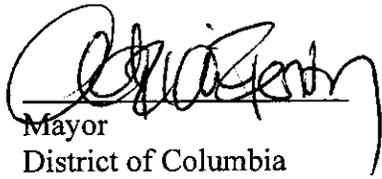
ENROLLED ORIGINAL

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 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


Mayor
District of Columbia

August 3, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-176

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

AUGUST 3, 2009

To order, on an emergency basis, the closing of a public alley in Square 5928, bounded by Lots 14 through 20 and 91 through 93 at the intersection of Valley Avenue, S.E., and 13th Street, S.E., in Ward 8.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of a Public Alley in Square 5928, S.O. 08-4393, 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 5928, as shown on the Surveyor's plat filed under S.O. 08-4393, 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 all conditions set forth in the official file of S.O. 08-4393.

Sec. 3. 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. 4. Fiscal impact statement.

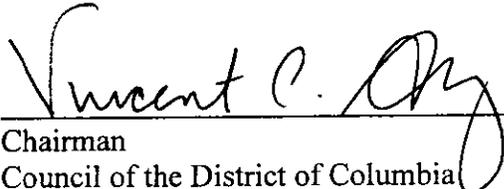
The Council adopts the fiscal impact statement in the committee report of Bill 18-292 as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This 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

ENROLLED ORIGINAL

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
August 3, 2009