

ENROLLED ORIGINAL

A RESOLUTION

18-289

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

November 3, 2009

To approve the compensation system changes submitted by the Board of Trustees of the University of the District of Columbia for the faculty of the David A. Clarke School of Law not covered by collective bargaining.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as "University of the District of Columbia David A. Clarke School of Law Faculty Compensation System Changes Approval Resolution of 2009".

Sec. 2. Pursuant to section 1111 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.11), the Council approves the compensation system changes recommended by the Board of Trustees of the University of the District of Columbia for the faculty of The David A. Clarke School of Law not covered by collective bargaining, which were transmitted to the Council by the University of the District of Columbia on October 7, 2009, and which provide as follows:

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The University of the District of Columbia
Revised Banded Law Faculty Salary Scale (9 Months)

Nine (9) Month Salary Scale			
Faculty Rank	Minimum Salary	Salary Midpoint	Salary Maximum
Distinguished Professor/Professor	\$116,000	\$145,000	\$174,000
Associate Professor	\$92,000	\$115,000	\$138,000
Assistant Professor	\$73,533	\$91,916	\$110,300
Instructor	\$39,774	\$49,667	\$59,600

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Sec. 3. The compensation system changes approved in section 2 shall become effective as of the first day of the first pay period beginning on or after October 1, 2009.

Sec. 4. Transmittal.

The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the University of the District of Columbia Board of Trustees and the Mayor.

Sec. 5. 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. 6. This resolution shall take effect immediately.

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A RESOLUTION

18-290

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

November 3, 2009

To approve the disposition of District-owned real property located at the southwest corner of Fourth and E Streets, S.W., and the northeast corner of Sixth and E Streets, S.W., known for tax and assessment purposes as Lot 102 in Square 495 and Lot 36 in Square 494.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Fourth/Sixth and E Streets, S.W., Property Disposition Approval Resolution of 2009".

Sec. 2. Definitions.

For the purposes of this resolution, the term:

(1) "CBE Agreement" means an agreement with the District governing certain obligations of the lessee or the developer of the property under the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*) ("CBE Act"), including the equity and development participation requirements set forth in section 2349a of the CBE Act (D.C. Official Code § 2-218.49a).

(2) "Certified Business Enterprise" means a business enterprise or joint venture certified pursuant to the Small, Local and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*).

(3) "First Source Agreement" means an agreement with the District governing certain obligations of the lessee or any developer of the property pursuant to section 4 of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03), and Mayor's Order 83-265 (November 9, 1983) regarding job creation and employment generated as a result of the construction on the property.

(4) "Lessee" means E Street Development, LLC, its successor, or one of its affiliates or assignees approved by the Mayor.

(5) "Property" means the real property located at the southwest corner of Fourth and E Streets, S.W., and the northeast corner of Sixth and E Streets, S.W., known for tax and

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assessment purposes as Lot 102 in Square 495 and Lot 36 in Square 494.

(6) "Purchase price" means the consideration for the purchase or lease of the property.

Sec. 3. Approval of disposition.

(a) Pursuant to section 1(b) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(b)(6)), the Mayor transmitted to the Council a request for approval of the disposition of the property to the lessee. The proposed disposition would occur through a negotiated ground lease. The disposition shall include the following terms and conditions, in addition to such other terms and conditions as the Mayor deems necessary or appropriate:

(1) The purchase price will be based on the fair market value of the property, less the value of the public benefits provided by lessee.

(2) The lessee or the developer of the property will enter into a CBE Agreement with the District. The CBE Agreement will require the lessee or the developer of the property to contract with certified business enterprises for at least 35% of the contract dollar volume of the redevelopment of the property and will require at least 20% equity and development participation of local, small, and disadvantaged business enterprises.

(3) The lessee or the developer of the property will enter into a First Source Agreement with the District.

(b) The Council finds that the property is no longer required for public purposes.

(c) The Council approves the disposition of the property.

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. Transmittal.

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

Sec. 6. Effective date.

This resolution shall take effect immediately.

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A RESOLUTION

18-291

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

November 3, 2009

To confirm the appointment of Ms. Suman Sorg to the Board of Architecture and Interior Designers.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Architecture and Interior Designers Suman Sorg Confirmation Resolution of 2009".

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

Ms. Suman Sorg
2319 Bancroft Place, N.W.
Washington, D.C. 20008
(Ward 2)

as an architect member of the Board of Architecture and Interior Designers, established by D.C. Official Code § 47-2853.06(a), for a term to end November 13, 2011.

Sec. 3. The Secretary to 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.

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A RESOLUTION

18-292

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

November 3, 2009

To confirm the appointment of Ms. Genell Anderson to the Board of Architecture and Interior Designers.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Architecture and Interior Designers Genell Anderson Confirmation Resolution of 2009".

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

Ms. Genell Anderson
211 Peabody Street, N.W.
Washington, D.C. 20011
(Ward 4)

as an architect member of the Board of Architecture and Interior Designers, established by D.C. Official Code § 47-2853.06(a), for a term to end November 13, 2012.

Sec. 3. The Secretary to 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.

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A RESOLUTION

18-293

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

November 3, 2009

To confirm the reappointment of Mr. Derek Davis to the Board of Barber and Cosmetology.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Barber and Cosmetology Derek Davis Confirmation Resolution of 2009".

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

Mr. Derek Davis
604 Galveston Place, S.E.
Washington, D.C. 20032
(Ward 8)

as a barber member of the Board of Barber and Cosmetology, established by D.C. Official Code § 47-2853.06(c), for a term to end December 13, 2010.

Sec. 3. The Secretary to 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.

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A RESOLUTION

18-294

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

November 3, 2009

To confirm the appointment of Ms. Deborah Smith to the Board of Barber and Cosmetology.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Barber and Cosmetology Deborah Smith Confirmation Resolution of 2009".

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

Ms. Deborah Smith
2826 6th Street, N.E.
Washington, D.C. 20017
(Ward 5)

as a specialty cosmetologist member of the Board of Barber and Cosmetology, established by D.C. Official Code § 47-2853.06(c), for a term to end February 23, 2012.

Sec. 3. The Secretary to 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.

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A RESOLUTION

18-295

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

November 3, 2009

To confirm the appointment of Ms. Anna Gowans Miller to the Board of Accountancy.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Accountancy Anna Gowans Miller Confirmation Resolution of 2009".

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

Ms. Anna Gowans Miller
5 Snows Court, N.W.
Washington, D.C. 20037
(Ward 2)

as a certified public accountant member of the Board of Accountancy, established by D.C. Official Code § 47-2853.06(b), for a term to end January 14, 2012.

Sec. 3. The Secretary to 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.

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A RESOLUTION

18-296

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

November 3, 2009

To confirm the appointment of Ms. Margot Wilson to the Board of Real Estate Appraisers.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Real Estate Appraisers Margot Wilson Confirmation Resolution of 2009".

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

Ms. Margot Wilson
3515 Macomb Street, N.W.
Washington, D.C. 20016
(Ward 3)

as a real estate broker member of the Board of Real Estate Appraisers, established by D.C. Official Code § 47-2853.06(g), for a term to end June 26, 2011.

Sec. 3. The Secretary to 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.

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A RESOLUTION

18-297

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

November 3, 2009

To confirm the appointment of Ms. Gennet Purcell as the Commissioner of the Department of Insurance, Securities, and Banking.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commissioner of the Department of Insurance, Securities, and Banking Gennet Purcell Confirmation Resolution of 2009".

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

Ms. Gennet Purcell
1817 10th Street, N.W.
Washington, D.C. 20001
(Ward 1)

as Commissioner of the Department of Insurance, Securities, and Banking, established by section 3 of the Department of Insurance and Securities Regulation Establishment Act of 1996, effective May 21, 1997 (D.C. Law 11-268; D.C. Official Code § 31-102), and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

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.

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A RESOLUTION

18-298

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

November 3, 2009

To approve the proposed rules regarding minimum standards for Medicare Supplement insurance to bring them in conformity with federal laws and the National Association of Insurance Commissioners' 2008 revisions to the Medicare Supplement Minimum Standards Model Act.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Medicare Supplement Insurance Minimum Standards Approval Resolution of 2009".

Sec. 2. Pursuant to section 11(a) of the Medicare Supplement Insurance Minimum Standards Act of 1992, effective October 1, 1992 (D.C. Law 9-170; D.C. Official Code § 31-3710(a)), the Council approves the proposed rules, published at 56 DCR 7661, that amend Chapter 22 of Title 26 of the District of Columbia Municipal Regulations to conform District rules establishing minimum standards for Medicare Supplement insurance to recent changes to federal law and the National Association of Insurance Commissioners' 2008 revisions to the Medicare Supplement Minimum Standards Model Act.

Sec. 3. Transmittal.

The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Commissioner of the Department of Insurance, Securities, and Banking.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

18-299

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

November 3, 2009

To confirm the reappointment of Mr. Howard Croft to the District of Columbia Water and Sewer Authority Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Water and Sewer Authority Board of Directors Howard Croft Confirmation Resolution of 2009".

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

Mr. Howard Croft
1515 U Street, S.E.
Washington, D.C. 20020
(Ward 8)

as an alternate member of the Board of Directors of the District of Columbia Water and Sewer Authority, in accordance with section 204 of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111; D.C. Official Code § 34-2202.04), for a term to end September 12, 2012.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

18-300

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

November 3, 2009

To confirm the appointment of Mr. Maurice Xavier Boissiere to the District of Columbia Water and Sewer Authority Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Water and Sewer Authority Board of Directors Maurice Xavier Boissiere Confirmation Resolution of 2009".

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

Mr. Maurice Xavier Boissiere
1605 Madison Street, N.W.
Washington, D.C. 20011
(Ward 4)

as an alternate member of the Board of Directors of the District of Columbia Water and Sewer Authority, in accordance with section 204 of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111; D.C. Official Code § 34-2202.04), replacing Joseph Cotruvo, whose term ended September 12, 2008, for a term to end September 12, 2012.

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

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

18-301

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

November 3, 2009

To declare the existence of an emergency with respect to the need to restrict payments of Department of Parks and Recreation appropriations to the District of Columbia Housing Authority, and to require notification to the Council of all transactions by the Department of Parks and Recreation in excess of \$75,000.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Department of Parks and Recreation Budget Transparency Emergency Declaration Resolution of 2009".

Sec. 2. (a) There exists an immediate need to address a lack of budget transparency within the Department of Parks and Recreation ("DPR") as represented by the memoranda of understanding, signed by DPR officials, transferring capital dollars out of the realm of Council oversight.

(b) Many of the memoranda of understanding have totals in excess of \$1 million, but more challenging are projects that have funds transferred under the \$1 million threshold, but in the aggregate, total over \$1 million per project.

(c) Without the Council being completely informed of the many budget transactions, a serious challenge in committee oversight over DPR and District funds is created. Due to these challenges, there must be strict safeguards in place for data collection, on an emergency basis, to ensure appropriate budget oversight.

(d) On October 30, 2009, a roundtable was held on the contracting process of DPR projects. During that roundtable, it was stated by the Office of the Chief Financial Officer that a significant amount of funds, originating in DPR, slated to go to the District of Columbia Housing Authority pursuant to the memoranda of understanding, had yet to be expended. Therefore, budgetary controls are necessary to stop any future expenditure, unless it is pursuant to the fiscal year 2010 budget, or approved by the Council pursuant to law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Department of Parks and Recreation Budget Transparency Emergency Act of 2009 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

18-302

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

November 3, 2009

To declare the existence of an emergency with respect to the need to clarify the taxation of transfers of economic interests in cooperative housing associations, to clarify that security interest instruments related to cooperative housing associations are exempt from the recordation tax, and to provide for the exemption from taxation of transfers of economic interests in limited-equity cooperative housing associations.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Cooperative Housing Association Economic Interest Recordation Tax Emergency Declaration Resolution of 2009".

Sec. 2. (a) Subtitle G of Title VII of the Fiscal Year 2010 Budget Support Second Emergency Act of 2009 and the Fiscal Year 2010 Budget Support Act of 2009 needs to be clarified to provide that, for recordation tax purposes, all interests that are transferred in cooperative housing associations shall be taxed rather than only shares.

(b) In addition, the present law needs to be clarified to provide that security interest instruments associated with the transfers of economic interests in cooperative housing associations are exempt from the recordation tax.

(c) Finally, present law needs to be amended to provide for a recordation tax exemption for the transfer of an economic interest in a limited-equity cooperative housing association.

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 Cooperative Housing Association Economic Interest Recordation Tax Emergency Amendment Act of 2009 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

18-303

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

November 3, 2009

To declare the existence of an emergency with respect to the need to implement the provisions of the Omnibus Election Reform Amendment Act of 2009 in preparation for the primary and general elections of 2010.

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

Sec. 2. (a) On September 14, 2010, the District of Columbia will hold the 1st of 2 elections in the 2010 election cycle.

(b) On November 3, 2009, the Council is scheduled to vote on the Omnibus Election Reform Amendment of 2009, which includes reforms in multiple areas of the election processes.

(c) The Board of Elections and Ethics ("Board") is already planning for the elections, including activities such as purchasing the necessary equipment, promulgating appropriate rules and regulations, and recruiting and training polling place workers. Once the Omnibus Election Reform Act of 2009 is adopted, the Board will need to incorporate changes to its processes.

(d) Immediate enactment of the legislation would allow the Board to begin to use funds available in the Election Reform Fund for the purpose of implementing the reforms.

(e) To permit the Board to immediately begin implementation of reform initiatives, the provisions of the Omnibus Election Reform Amendment Act of 2009 must be enacted immediately.

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 Omnibus Election Reform Emergency Amendment Act of 2009 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.