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8 A PROPOSED RESOLUTION
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13 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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18 To authorize the holding of certain hearings and roundtables and taking of certain other actions
19 during the Council's summer 2019 recess, to amend the Rules of Organization and
20 Procedures for the Council of the District of Columbia, Council Period 23 to authorize
21 the University of the District of Columbia to submit grant budget modifications during
22 the Council's summer 2019 recess; to amend the Rules of Organization and Procedures
23 for the Council of the District of Columbia, Council Period 23 with regard to
24 investigations; and to amend the Appointment of Chairperson Pro Tempore, Committee
25 Chairpersons, and Committee Membership Resolution of 2019.
26

27 RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
28 resolution may be cited as the "Council Period 23 Rules and Investigation Authority Amendment
29 Resolution of 2019."

30 Sec. 2. Recess rules.

31 (a) The Committee of the Whole is authorized to hold a hearing or roundtable, including
32 a joint hearing or roundtable, on a contract, reprogramming, budget modification, measure, or
33 proposed actions by the Mayor during the period July 15 through September 15, 2019.

34 (b) The Rules of Organization and Procedure for the Council of the District of Columbia,
35 Council Period 23, Resolution of 2019, effective January 2, 2019 (Res. 23-1; 66 DCR 272), is
36 amended as follows:

37 (1) Section 306(b) is amended by adding a new paragraph (5) to read as follows:

38 “(5) A request for a budget modification from the University of the District of
39 Columbia for Fiscal Year 2019 grant funds may be transmitted to the Secretary from July 15
40 through September 15, 2019.”.

41 (2) Section 711 is amended as follows:

42 (A) The existing text is designated as subsection (a).

43 (B) A new subsection (b) is added to read as follows:

44 “(b) Notwithstanding subsection (a) of this section, a request for a budget
45 modification from the University of the District of Columbia for Fiscal Year 2019 grant funds
46 may be submitted, and the time period for the request may be counted, from July 15 through
47 September 15, 2019.”.

48 (c) This section shall expire on September 16, 2019.

49 Sec. 3. Authorization of investigation.

50 (a)(1) The Council authorizes the Chairman to appoint O’Melveny & Myers (“the law
51 firm”) to investigate the conduct of Councilmember Jack Evans in accordance with the scope in
52 paragraph (2).

53 (2) The scope of the investigation authorized pursuant to paragraph (1) of this
54 subsection shall be whether, from January 1, 2014 to the present, the official and outside
55 activities of Councilmember Jack Evans relating to NSE Consulting LLC (including the
56 establishment of that entity), any client of NSE Consulting LLC, or any other entity by which
57 Councilmember Evans was employed or for which he consulted, violated the Code of Conduct as
58 that term is defined in section 101(7) of the Board of Ethics and Government Accountability
59 Establishment and Comprehensive Ethics Reform Act of 2011, effective April 27, 2012 (D.C.
60 Law 19-124; D.C. Official Code § 1-1161.01(7)), or the Rules of Organization and Procedure for
61 the Council of the District of Columbia (“Council Rules”), including those provisions of the

62 Code of Conduct or the Council Rules that relate to conflicts of interest, outside activities, use of
63 government resources, or use of confidential information.”

64 (b) In furtherance of the investigation authorized by subsection (a) of this section, the
65 Council authorizes the law firm to issue subpoenas on behalf of the Council to compel the
66 attendance of witnesses, to obtain testimony, or to require the production of documents or other
67 information or tangible items. Notwithstanding Council Rule 612, a report to the Secretary to
68 the Council before issuing a subpoena as part of the investigation shall not be required.

69 (c) The law firm may take testimony of witnesses by oral, written, or videotaped
70 depositions.

71 (d) Notwithstanding Council Rule 306, the law firm may conduct any investigative
72 activities, including transmitting any report to the Council, during a period of Council recess.

73 (e) Upon completion of its investigation, the law firm shall file a report containing
74 findings on the allegations investigated pursuant to subsection (a) of this section with the
75 Secretary of the Council, along with all records obtained during the investigation that support the
76 findings.

77 Sec. 4. The Rules of Organization and Procedure for the Council of the District of
78 Columbia, Council Period 23, effective January 2, 2019 (Res. 23-1; 66 DCR 272), is amended as
79 follows:

80 (a) Section 232 is amended as follows:

81 (1) Subsection (a) is amended by striking the phrase “the operation of business
82 improvement districts (“BIDs”) and oversight of BIDs, but not including the establishment of
83 BIDs” and inserting the phrase “the operation of business improvement districts (“BIDs”) and
84 oversight of BIDs; the establishment of business improvement districts; matters relating to
85 taxation and revenue for the operation of the government of the District of Columbia; industrial
86 revenue bonds” in its place.

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

88 (A) Add the following agencies to the list of agencies that come within the
89 purview of the Committee on Business and Economic Development, to be inserted in
90 alphabetical order within the existing list:

91 "Combat Force Commission
92 "Destination DC
93 "District of Columbia Lottery and Charitable Games
94 "Multistate Tax commission
95 "Office of the Chief Financial Officer (but not the Office of Budget and
96 Planning"

97
98 (B) Remove the following agencies from the list of agencies that come
99 within the purview of the Committee on Business and Economic Development:

100 "Commission on Fashion Arts and Events
101 "District of Columbia Boxing and Wrestling Commission
102 "Office of Cable Television, Film, Music and Entertainment"
103

104 (b) Section 234 is amended as follows:

105 (1) Subsection (a) is amended by striking the phrase "and matters regarding
106 returning citizens" and inserting the phrase "matters regarding returning citizens; and the
107 Washington Metropolitan Transit Authority" in its place.

108 (2) Subsection (b) is amended by adding the following agencies to the list of
109 agencies that come within the purview of the Committee on Facilities and Procurement, to be
110 inserted in alphabetical order within the existing list:

111 "Washington Metropolitan Area Transit Authority
112 "Washington Metrorail Safety Commission."
113

114 (c) Section 235 is repealed.

115 (d) Section 236 is amended as follows:

116 (1) Subsection (a) is amended by striking the phrase "and matters relating to the
117 general operations and services of government" and inserting the phrase "matters relating to the

118 general operations and services of government; general-obligation bond acts, revenue
119 anticipation notes, and tourism and cultural affairs” in its place.

120 (2) Subsection (b) is amended by adding the following agencies to the list of
121 agencies that come within the purview of the Committee on Government Operations, to be
122 inserted in alphabetical order within the existing list:

123 “Board of Review of Anti-Deficiency Violations
124 “Commission on Fashion Arts and Events
125 “Office of Cable Television, Film, Music and Entertainment.”
126

127 (e) Section 239(b) is amended by adding the following agencies to the list of agencies
128 that come within the purview of the Committee on Housing and Neighborhood Revitalization, to
129 be inserted in alphabetical order within the existing list:

130 “Real Property Tax Appeals Commission for the District of Columbia.”
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132 (f) Section 651(b) is amended to read as follows:

133 “(b) An ad hoc committee shall be established:

134 “(1) If a Councilmember is censured by BEGA;

135 “(2) By request of any 5 members of the Council; or

136 “(3) By request of the Chairman.”

137 (g) Section 653 is amended as follows:

138 (1) Subsection (a) is amended by striking the phrase “members of the Council”
139 and inserting the phrase “members of the Council or by the Chairman” in its place.

140 (2) Subsection (c) is amended by striking the phrase “in executive session in
141 accordance with Rule 504” and inserting the phrase “in a closed session in accordance with
142 Rules 371 through 376” in its place.

143 Sec. 5. Section 3(4) of the Council Period 23 Appointment of Chairperson Pro Tempore,
144 Committee Chairpersons, and Committee Membership Resolution of 2019, effective January 2,
145 2019 (Res. 23-2; 66 DCR 398), is repealed.

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