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Chairman Phil Mendelson

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to provide additional protections to Districts residents and businesses during the current public health emergency.

RESOLVED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Coronavirus Omnibus Emergency Declaration Resolution of 2020”.

Sec. 2. (a) On March 11, 2020, the Mayor of the District of Columbia issued Mayor’s Order 2020-45, 2020-46, and 2020-63, declaring a public emergency and a public health emergency in the District due to the imminent threat to the health, safety, and welfare of District residents posed by the spread of COVID-19. That order is currently in effect through May 15, 2020. Additional orders extending the emergency are likely to be issued.

(b) As a result of the Mayor’s order, many businesses have been required to close in the District. Many of the business interruption insurance policies will only cover an insured in the case that the business is shut down due to physical damage and do not explicitly provide coverage for damages resulting from a public health emergency. It is necessary to ensure that many businesses that are experiencing financial distress resulting from the order can put in a claim against an existing business interruption insurance policy.

(c) Due to the closure of non-essential businesses, alcohol licensees face obstacles to providing and maintaining licenses. Additionally, ANCs face challenges in reviewing licenses within their jurisdiction. As such, it is necessary to allow non-notarized signatures on an application for licensure, extend the review period for Advisory Neighborhood Commission to provide input on licenses, and to extend the number of days an establishment has to surrender a license.

(d) To aid restaurants while they are unable to provide unrestricted dine-in service, it is necessary to cap the commission fee that third-party food delivery platforms may charge a restaurant to a maximum of 15% of the purchase price on delivery or pick-up orders and to require third-party food delivery platforms to disclose fees to the customer where the restaurant allows such disclosure.

(e) Four individuals currently serving on the University of the District of Columbia’s Board of Trustees are set to have their terms expire on May 15, 2020. In order to make sure that the Board can continue operating effectively and not experience quorum issues, it is necessary to amend the terms for certain Board of Trustee members.

(f) During emergencies, the internet can provide critical information to residents about social services, government operations, and ways to stay engaged with the community. According to data from the Census Bureau, approximately 22% of households with incomes of less than $30,000 do not have access to the internet. During this public health emergency, it is necessary to establish mechanisms that allow these households to access the internet.

(g) For the health and well-being of District residents, the DC Board of Elections is encouraging voters to request absentee (mail-in) ballots for the primary election on June 2nd and the special election for Ward 2 on June 16th. In order to make the process of requesting a ballot as easy as possible, it is imperative to make changes to the petitioning requirements for ballot access.

(h) Advisory Neighborhood Commissions (ANCs) are a vital component of District government, providing advice and insight on critical matters such as planning, social service programs, and public safety in their neighborhoods. To enable ANCs to better respond to the needs of their neighborhood during this public health emergency, it is necessary to expand their grant-making authority.

(i) Long-term care facilities in the District house population that are particularly vulnerable to COVID-19. As of April 24, 2020, at least 13 nursing homes in the District have reported about 200 infections and roughly 15 fatalities. To ensure that the nurses providing care to these residents can do so safely and effectively, it is crucial to provide enhanced protections to these nurses.

(j) As of April 28, 2020, 131 residents in DC jail facilities have tested positive for COVID-19 and one individual has died. Conditions in the facilities have led to lawsuits and ongoing monitoring of DOC practices to keep residents safe. For the Council and the public to have the best possible information on developments occurring within DC jail facilities, it is vital to prescribe reporting requirements.

(k) As part of the Sustainable Solid Waste Management Act of 2014, the District established incentives for composting and explicitly residents to engage in residential composting to reduce waste. To continue to promote sustainable waste practices during this public health emergency, it is crucial to allow virtual composting trainings.

(l) As District residents grapple with the economic consequences of this public health emergency, it is incumbent that the government provide mechanisms to relieve the financial strain families are experiencing. As such, it is necessary to enable tenants and residents to establish payment plans for rental units and utility services.

Sec. 3. The Council of the District of Columbia determines that the circumstances in section 2 constitute emergency circumstances, making it necessary that the Coronavirus Omnibus Emergency Amendment Act of 2020 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.